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SOUTHCENTRAL FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL
PUBLIC MEETING

VOLUME II
September 21, 2000

Mentasta Lake Village School
Mentasta Lake, Alaska

MEMBERS PRESENT:

Ralph Lohse, Chair
Fred Elvsaas, Vice Chair
Fred John, Jr.
Gilbert Dementi

Ann Wilkinson, Coordinator

Joseph P. Kolasinski, Recorder

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P R O C E E D I N G S

(On record)

CHAIRMAN LOHSE: We're on. I'd like to call this fall meeting of the Southcentral Regional Subsistence Advisory Council back to order. Today is Thursday the 21st. It's a quarter to nine in the morning.

We finished Proposal 16 last night, and I think we're on proposal 17 if I remember right.

MS. WILKINSON: You said that we were going to start this morning with the staff.....

CHAIRMAN LOHSE: Oh, that's right. We were going to let Tom Boyd speak first this morning So we will do that.

MR. BOYD: Mr. Chair, I appreciate the opportunity to kind of get out of your sequence of agenda items and speak. And it's one of the staff reports in your agenda, and it's referring to the resource monitoring program, the Fisheries Resource Monitoring Program, which is kind of a new aspect of the Federal Subsistence Program. And as we've taken over fisheries management, or subsistence fisheries management on Federal lands, we have kind of an opportunity to expand and enhance our knowledge of fisheries to help better manage, but more over, we also have an opportunity to involve local users, native organizations, tribes and other rural organizations in the management of fisheries through this program. And so I kind of wanted to bring you up to date on where we've been in the 2000 season, kind of where we're going for 2001 and 2002. And if I could refer you to Tab H in your council books, there is a write-up in there, and one of my staff brought to me the day before I left a handout that looks like this. It should be in front of you. And I would -- I'm going to refer you back and forth to Tab H and this handout, but the handout's a good outline, and I'm going to be speaking from it, so that you can follow me fairly closely in this presentation, and I'll try not to be too lengthy with it, but we did want to bring you up to date.

What is the fishery monitoring program? And it's essentially a unified, interagency effort on the part of all the Federal agencies in the Federal Subsistence Program to enhance our capacity or capability to manage subsistence fisheries, to gather information and also to as I've said before build capacity in the rural communities, Alaska

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1 Native organizations and other organizations in fisheries
2 management. And we do that primarily through cooperative
3 agreements and other funding instruments to conduct
4 studies, or to conduct monitoring work. So we -- the
5 program is to identify information aids and bring that
6 together to help manage subsistence fisheries, to fund
7 studies, to collect information.

8

9 And the information that we gather is generally of
10 three types: Those that look at subsistence harvest
11 patterns and uses; those that monitor stock status and
12 abundance, you know, escapement, spawning escapements, and
13 population parameters, so that we can have a good fix on
14 what's happening in the fisheries; as well as gathering
15 information which we've called traditional environmental
16 knowledge or traditional ecological knowledge, or elders
17 knowledge. So all of the studies that we're doing sort of
18 fall in one of those three categories.

19

20 I mentioned that this is an opportunity for Alaska
21 Native and rural organization involvement. This year we've
22 actually had cooperative agreements and various
23 arrangements through either the Federal or State, the
24 Alaska Department of Fish and Game, to work with local
25 entities, such as tribes or native organizations to help us
26 identify issues and information needs, to -- basically to
27 conduct the studies based on the information or the issues
28 that we've identified and the needs that we've identified.

29

30 And just as sort of a highlight of what we've been
31 able to do this year with the funding that we've had this
32 last year, we've been able to hire a total of 83 local
33 residents, primarily through seasonal jobs in these
34 monitoring studies, and 69 of those were Alaska Natives.

35

36 In fiscal year 2000, that's this past year, we had
37 to scramble. It was the first year of the program. We
38 kind of got out late in terms of the time needed to
39 identify studies and monitoring needs, and to get studies
40 on the grounds. We were primarily looking for those
41 studies that had some basis already in planning. Some
42 efforts were already under way, studies were already being
43 conducted. In previous years we had something on the shelf
44 that we could identify as something ready to go. And
45 during the course of soliciting for proposals for studies,
46 some 160 proposals were received, and out of that 45
47 studies were actually funded. And these were funded to the
48 tune this last year of \$5.6 million. Just a bit of a
49 breakout, three and a half of those -- three and half
50 million came from the Department of Interior, and 2.1

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1 million came from the Forest Service budget.

2

3 In terms of who received the funding this past
4 year, we have a breakout there of 38 percent came from --
5 or went to Alaska Native or other organizations in local
6 hires. That represents about \$2.2 million, and these were
7 -- you know, if I could broadly categorize those, non-
8 Federal, non-State type organizations. And these were
9 mostly native organizations. There were some others, like
10 the University of Washington that funded -- we funded one
11 study through, but primarily native organizations. Forty
12 percent of this went to the Alaska Department of Fish and
13 Game, representing 2.2 million again. And 22 percent
14 stayed with Federal agencies for about 1.2 million.

15

16 I could refer in your book under Tab H some further
17 breakouts. If you look on the second page, there's a table
18 at the top of the page that looks like this in your book,
19 to kind of give you an idea of the regional breakouts for
20 these projects. And I'll refer you to about the middle of
21 that table which is your region, Cook Inlet. We call it
22 Cook Inlet/Gulf of Alaska. There were 17 projects funded
23 for about \$827,000, representing just under 15 percent of
24 the total project budget.

25

26 Looking forward to 2001, I'd refer you to the
27 fourth page in your book. There's a schedule in there that
28 looks like this, and that's the schedule that we're
29 following, and the process that we're following to identify
30 programmatic needs and fund studies for next season. You
31 can see we're already well into it. In our last meeting of
32 this council and the other councils, we tried to identify
33 information needs, and that's sort of an on-going process
34 as we go through regulatory proposals, as we go through
35 discussions of those, sometimes these sort of just jump out
36 at you. I know in the course of the meeting yesterday I
37 identified two or three information needs that sort of
38 jumped out at me. So these -- this is the kind of thing
39 that we try to do is listen and learn from the councils as
40 well as just every day as we encounter issues to try to
41 identify those management issues and information needs that
42 aren't currently being covered by monitoring or studies.
43 So we're well into this process.

44

45 At step number three, we've just passed September
46 15th, and we had had a solicitation for proposal. We call
47 them preproposals, project preproposals, out since the
48 early part of the summer. And those were due by the middle
49 of September, and so that date has come and gone now.
50 That's step three there. And just the other day, just

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1 before we left for this meeting, I had asked the staff how
2 many of those preproposals had come in, and there's just
3 over 300 is what I'm told. They don't have a final count
4 yet, but that's statewide. So currently we're in the
5 process of beginning to screen those preproposals and
6 narrow those down to the studies that will be funded for
7 2001.

8

9 The next step in the process will be to, once we
10 narrow those down, to prepare investigation plans. This is
11 a much more expansive document that sort of lays out how
12 the studies will be conducted. And those will then form
13 the basis of item six, a draft annual resource monitoring
14 plan, and that plan will be sent back to you, the regional
15 advisory council, sometime around the first of the year.
16 And during a special meeting of all of the regional
17 advisory councils, similar to what we had last January, we
18 want to bring in all of you to go through these annual
19 monitoring plans and to give us your recommendations with
20 regard to that. And we've targeted the 22nd through the
21 26th of January for that meeting in Anchorage. And then
22 sometime in February we'd have the Federal Board then make
23 a decision on that annual monitoring plan so then we could
24 begin to start funding those studies for 2001.

25

26 I should point out that there are prob -- there
27 have been problems since we started in terms of schedule
28 and how we administer this since we started. Obviously we
29 started behind the curve, behind the time curve, so that's
30 kind of overlapped into 2001. And we hope by the time we
31 get into the 2002 process we'll have a schedule that's
32 pretty much, you know, gives us plenty of time between the
33 steps to more properly and appropriately engage the
34 councils for your input, but this has been a scramble from
35 the start and we're still playing catch-up even through
36 2001. We want this schedule to fit your meeting schedule,
37 and give you more time to prepare and review for the annual
38 studies plan review. So that's kind of where we've been
39 and where we're going.

40

41 Moving to 2002, we're fixing to kick that process
42 off, so all of this is overlapping. And I'd refer you to
43 probably about the sixth page in your book, and it looks
44 like this. It's very similar to the other schedule you
45 just looked at. It has some dates down the left side, and
46 these are -- this is going to be kind of the annual
47 schedule from 2002 on as we go through this cycle every
48 year, so you'll notice there's no years behind these dates.
49 It's from 2002 to 2003, et cetera. And it's a very similar
50 process. and I won't go over it again, that I've just

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1 described for 2001. So we're kicking that off November 1
2 with a call for proposals again, so you can see the 2001
3 and 2002 processes are overlapping.

4

5 Yeah, just some important dates to focus you on is
6 early on in step one, sort of the year-round step we call
7 it, but it's the identification of management issues and
8 information needs, that's an on-going process, and as we go
9 through, I think a good place to do this is as we go
10 through regulatory proposals, and you identify information
11 needs, you can highlight those and let us know. Also, my
12 staff is going to be listening for those. I know I was
13 listening for them yesterday, and even today as you talk
14 about regulatory proposals. So that's an on-going process.
15 So I'd focus you there. And also, down at the fall
16 meetings in September and October when you -- when -- as we
17 get on step, you'll be reviewing the annual resource
18 monitoring plans.

19

20 Looking ahead also in this program, and I talked --
21 I touched briefly on building capacity in rural and native
22 organizations. We've identified the ability to fund up to
23 nine professional positions that we hope to place this next
24 year in rural organizations to build capacity in those
25 organizations to participate in the program, and in the
26 studies program as well. Tentatively I think we've
27 identified six fishery biologists and three social
28 scientists to place out in these organizations. We haven't
29 identified those organizations yet. They'll be distributed
30 among the regions based on need, and the organizations that
31 will have the positions will be chosen with an open
32 competitive process. In other words, we'll submit a
33 request for proposals fairly soon. I don't have a date
34 yet, but by the end of the year, and then we'll screen
35 those and try to identify where to place those positions
36 based on where we think the program needs are.

37

38 What our -- what my hope is, is that we can get --
39 there are clearly not enough positions for every rural
40 organization out there. Any my hope is that we can get
41 people to collaborate, organizations to sort of form
42 coalitions and collaborate around this.

43

44 What we see is a need to put positions out there to
45 help provide technical assistance in these projects that
46 I'm talking about, to provide technical capability within
47 these organizations so that they can effectively
48 participate in this regulatory process, to provide the
49 ability to mentor employees in these organizations as they
50 perform these projects. So there's a whole host of skills

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1 that we're looking for, and duties that these people will
2 be performing. But the idea is to build some professional
3 capacity in rural organizations so that they can more
4 effectively participate in the subsistence program.

5

6 That's kind of a quick overview of the studies
7 program, and I'll stop there and see if you have any
8 questions.

9

10 CHAIRMAN LOHSE: Any questions, council
11 members?

12

13 MR. DEMENTI: Will the funding still be
14 there for these programs next year? I mean, would funding
15 be on-going?

16

17 MR. BOYD: That's our hope. I mean,
18 obviously we won't know what we've got -- we put in our
19 budgets every year, and we're budgeting for this to be a
20 continuing program. And obviously we don't know what we
21 get every year until Congress approves our budget, but --
22 and 2001 is our first real budget, and we -- and the
23 Department of Interior, I can't -- I don't know what the
24 number is for Agriculture, but the Department of Interior's
25 put in for seven and a half million dollars to fund this
26 program. Now, when I say seven and a half million, that's
27 not all in projects. We have some overhead costs, like
28 staff and -- to administer the program, but that's -- you
29 know, we've tried to put in an ample amount of funding to
30 run the monitoring program. And our hope is that this will
31 be a recurring annual thing.

32

33 CHAIRMAN LOHSE: I see with your schedule
34 that basically you're hoping to get so you're actually
35 working a year in advance instead of.....

36

37 MR. BOYD: Exactly.

38

39 CHAIRMAN LOHSE:instead of working in
40 the same year that you're trying to do it.

41

42 MR. BOYD: Yeah. We've really been under
43 the gun with short staff and behind the time curve to try
44 to get this off the ground. I've been very pleased with
45 the staff's ability to get something going in 2000. I
46 think it was a pretty big task to get these projects off
47 the ground in 2000. And we're still behind in 2001, but
48 we're catching up, and we're getting staff on board now
49 that will help us to administer this process.

50

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1 I might point out to you in your books, and I won't
2 go into these in detail, but this is provided to you for
3 information, is a -- as you turn the pages, you'll see --
4 you can't read them from here, but pages that look like
5 this. These are the proposals that I talked about. This
6 is what came in in 2000, and what were selected for funding
7 in 2000, and we have one for all of the projects within
8 your region in your book here. And it starts with the
9 abundance and run timing of adult salmon in Tanada Creek
10 that we funded this creek. I understand that project met
11 with difficulties this year, there was high water and it
12 washed the weir out, but I mean, that's the intent here is
13 to show you the projects that we were intending to fund in
14 2000, that were funded in 2000.

15

16 We want to keep this in front of the councils on an
17 on-going basis as you meet and this will become a recurring
18 part of your agendas, and it's our hope that you'll be
19 fully integrated into the process of helping us identify
20 information needs and recommend projects for approval.

21

22 I might add at the end of that section is kind of a
23 spreadsheet that breaks out the studies and sort of columns
24 on the different places where funding went from the kinds
25 of organizations, and then the total funding, so these
26 spreadsheets that look like this at the end. It's kind of
27 a summary.

28

29 CHAIRMAN LOHSE: Tom, are these projects
30 that are already okayed, or are these projects that are on
31 the drawing board?

32

33 MR. BOYD: These are already okayed. This
34 is what we.....

35

36 CHAIRMAN LOHSE: These are already okayed?

37

38 MR. BOYD: Yeah. This was in the plan for
39 2000, which obviously we've.....

40

41 CHAIRMAN LOHSE: Okay. This was.....

42

43 MR. BOYD:just come through the field
44 season.

45

46 CHAIRMAN LOHSE: This was done this year?

47

48 MR. BOYD: Right.

49

50 CHAIRMAN LOHSE: Okay.

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1 MR. BOYD: Now -- that's correct.

2

3 CHAIRMAN LOHSE: Now, will a lot of these
4 projects be repeated then in two -- I mean, are they on the
5 planning book for 2001?

6

7 MR. BOYD: Some of these are multi-year
8 projects. I mean, obviously you can't -- you need several
9 years in some cases to.....

10

11 CHAIRMAN LOHSE: To do (indiscernible -
12 simultaneous speech) essentially.

13

14 MR. BOYD:get enough information.
15 Right. So some of these are multi-year projects.

16

17 CHAIRMAN LOHSE: So basically when you get
18 into next year's projects, you already have a certain
19 number of projects that are pre-approved and on the -- on
20 the books.....

21

22 MR. BOYD: That's correct.

23

24 CHAIRMAN LOHSE:because you can't
25 drop them, because you've started them.....

26

27 MR. BOYD: That's correct.

28

29 CHAIRMAN LOHSE:so that takes up some
30 of the funding for next year?

31

32 MR. BOYD: That's right.

33

34 CHAIRMAN LOHSE: So you don't have to find
35 all new projects?

36

37 MR. BOYD: No.

38

39 CHAIRMAN LOHSE: Yeah.

40

41 MR. BOYD: But our hope is that we can
42 start -- you know, once you -- well, probably after two or
43 three or five years of this, we're going to see some pretty
44 routine stuff coming along, but.....

45

46 CHAIRMAN LOHSE: Yeah.

47

48 MR. BOYD:there will always be room
49 for new projects. I think that's the goal, is to, you
50 know, we'll have recurring projects and new projects.

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1 CHAIRMAN LOHSE: Uh-huh. Yeah, because
2 some of these look to me like they could last for a long
3 time.

4
5 MR. BOYD: Uh-huh. (Affirmative) And we
6 may meet with some difficulties on these projects. We may
7 find out that one year's enough. You know, during the
8 course of the study, we may determine that there's no use
9 in going further with -- for one reason or another,
10 and.....

11
12 CHAIRMAN LOHSE: But are you going to have
13 to increase your staff then to.....

14
15 MR. BOYD: Yes.

16
17 CHAIRMAN LOHSE:as you go.....

18
19 MR. BOYD: Well, our.....

20
21 CHAIRMAN LOHSE:through this further?

22
23 MR. BOYD: We plan for a staff of nine
24 fisheries and social science professionals in what we call
25 our Fishery Information Services Division within my office,
26 and that will be their job is to implement or administer
27 this program.

28
29 CHAIRMAN LOHSE: So they'll be in the
30 office, they won't be in the field?

31
32 MR. BOYD: They will be in the office
33 primarily. We would -- with these other nine position that
34 I spoke to, they would be housed in local organizations
35 somewhere, or a native organization. Possibly one of the
36 regional organizations. We do have field staff in the
37 agencies, but we have not received approval from -- at
38 least on the Interior side, to fund field staff to help
39 oversee these projects, so we're relying in large part on
40 existing field staff, as well as the field staff of the
41 Alaska Department of Fish and Game, and hopefully these new
42 nine positions to help us provide the technical assistance
43 needed for these projects.

44
45 CHAIRMAN LOHSE: So basically what you do
46 is you either contract with an organization or another
47 governmental body for the field staff?

48
49 MR. BOYD: That's correct. Yes.

50

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1 CHAIRMAN LOHSE: Any other questions for
2 Tom?

3
4 (No audible response)

5
6 CHAIRMAN LOHSE: Have you got more for us?

7
8 MR. BOYD: One other item, and I'll just
9 briefly mention it. Under Tab -- let's see, where would it
10 be? It may also be under Tab H. Yes. You talked about
11 staffing, and it looks like this. It's right -- the next
12 page behind the monitoring pages. This kind of just gives
13 you a quick overview of our staffing to date in the
14 fisheries part of the Federal Subsistence Program. And in
15 a nutshell, we've hired -- all the agencies have hired 21
16 people, new people. You know, it's not counting existing
17 staff. We've had some turn-over, but sort of the net gain
18 for fisheries has been 21, and we plan to hire another 22.
19 And you kind of see the agency breakouts. That first line,
20 Fish and Wildlife Service, FWS, OSM, that's Office of
21 Subsistence Management, that's the office that I oversee.
22 We're the folks that have the coordinators and the
23 biologists and the anthropologists to provide you staff
24 support. And you can see we've increased by nine to date,
25 and plan to hire six more for a total of 15 new in my
26 office. That will expand my office to some 45 people. So
27 total net -- total gain for all agencies will be 43 people
28 as we move towards completing our -- fulfilling our
29 staffing needs.

30
31 I already mentioned to you what the studies program
32 does, or did this year. We were able to hire 83 people on
33 a seasonal basis through these projects. I mentioned
34 already the nine new positions, the technical positions,
35 that will go to the native or other rural organizations.

36
37 And I should highlight one of the positions that's
38 going to be a new position. We will be filling a position,
39 the BIA is recruiting now, for a native liaison position
40 that will work closely with the Federal Subsistence Board
41 and Alaskan native organizations, essentially in a
42 coordination capacity, liaison capacity, but also will be
43 participating on what we call the interagency staff
44 committee that provides recommendations to the Board, staff
45 recommendations to the Board. So that position is
46 currently under -- being recruited. I'll be working fairly
47 closely with that position. The idea is to build some
48 bridges with the native community. So that's kind of a
49 quick overview of where we are with staffing right now.

50

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1 CHAIRMAN LOHSE: And how has it worked out
2 with the -- oh, with the projects that you've worked out
3 with the Alaska Department of Fish and Game? Have you had
4 pretty good success and been working together on
5 information gathering projects?

6
7 MR. BOYD: Yes, and I think we've had very
8 good success. I got a report, a briefing just last week,
9 the latter part of last week. I'd been getting some
10 reports. Generally people accentuate the native, and I'd
11 been getting some reports on two or three projects that
12 weren't going well. And so I asked staff to put together
13 an overview of how well these projects are going, and I got
14 a briefing last week on all of the projects statewide. And
15 I was pleased to find that things are going quite well for
16 the whole -- all of the 46 projects. There were several
17 projects that we would -- you would normally expect on a
18 program of this scale that would -- were not what we'd call
19 totally successful this year. I mean, weirs that got
20 washed out, miscues in coordination between different
21 organizations that had to be worked out. Communication
22 problems, people problems, and those sorts of things. But
23 on the whole I think it was a good year. I would say we're
24 on a learning curve, and my expectation is we're going to
25 continue to have these problems. It's just -- I mean, we
26 would have these problems if it were purely within the Fish
27 and Wildlife Service, in one organization where you would
28 minimize communication problems. But, you know, things
29 happen out there that you don't have a lot of control over,
30 but most of the projects are off and running, and I think
31 doing quite well, so.....

32
33 CHAIRMAN LOHSE: I know you spent a lot of
34 time on that protocols and everything last year. Has.....

35
36 MR. BOYD: Okay.

37
38 CHAIRMAN LOHSE:that worked out? I
39 mean, as far as information sharing and everything, has
40 there been a pretty good open sharing of information?

41
42 MR. BOYD: I think so. I think the real
43 test came this year on the Yukon River, and early on I
44 think when the first run of -- runs were coming in, the
45 Chinook runs on the Yukon, for example, we began to
46 recognize there were big problems. The fish just weren't
47 coming in like they should have, like they were projected
48 to. There were some -- there were a couple of early
49 commercial openings, and I think we had some early
50 communication problems between Federal and State in-season

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1 managers. That got ironed out fairly quickly. I think we
2 recognized we were going to have to pull together, and it
3 turned in to be a very dismal year for both chinook and the
4 fall chums. But the communication between the in-season
5 managers improved over the course of the year. We were
6 able to make all of the in-season decisions in sync with
7 the Alaska Department of Fish and Game, and from my
8 perspective, they were generally good decisions, and, you
9 know, first to protect the resource, and the subsistence
10 uses. And I -- you know, I think once we got into the flow
11 of it, there was lots of communication, not only between
12 the managers, but also with the user community, the Yukon
13 Drainage Fishermen's Association, and we had a coordinating
14 committee made up of council members from the three
15 councils along the river, and we tried to keep everyone in
16 the loop about what was going on, what the information was,
17 so that people could weigh in as we -- you know, prior to
18 making these difficult decisions. So that was the real
19 test, and I think it really panned out.

20

21 We had some similar issues early with the chinook
22 runs on the Kuskokwim, and the communication was very good
23 there from the very start. We didn't have the same
24 problems in some of the other regions of the state, so they
25 weren't really coming to me, so I don't have a -- I guess
26 silence sometimes is positive. You know, if you don't hear
27 anything. No news is good news they say, so I can only
28 suspect that things were working well in the other parts of
29 the state.

30

31 CHAIRMAN LOHSE: I was just wondering about
32 Bristol Bay.

33

34 MR. BOYD: Well, we had a situation over
35 there. The jurisdictional layout over there is a little
36 bit different than other places. The headwaters occur in
37 the Lake Clark National Park area. Probably the Park
38 Service, some of the representatives here might have a
39 better handle on that situation. But I know we had a
40 situation in the Kvichak where they had to curtail the
41 commercial fishing season, and allow escapements. I'm not
42 sure about the communication between the two agencies
43 though. I don't know if anybody from the Park Service
44 wants to address that or not.

45

46 CHAIRMAN LOHSE: I don't see any
47 volunteers.

48

49 MR. BOYD: Okay.

50

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1 CHAIRMAN LOHSE: Anybody else have any
2 questions for Tom?

3
4 MS. MCBURNEY: I'd be happy to give you
5 just like.....

6
7 CHAIRMAN LOHSE: Sure. Yeah. Sure.

8
9 MS. MCBURNEY: (indiscernible - away
10 from microphone).

11
12 CHAIRMAN LOHSE: Sure, Mary.

13
14 MS. MCBURNEY: I'm Mary McBurney, and I'm
15 the subsistence program manager for Lake Clark, Katmai,
16 Aniakchak, and the Alagnak Wild River. And with regard to
17 the in-season management in Bristol Bay, and particularly
18 with the Kvichak, it was -- I think that this is where we
19 probably came up with the people problems and miscues and
20 miscommunication. And I'm not quite sure -- well, right
21 now there is a Bristol Bay fisheries conference that is
22 taking place, and this particular meeting took precedence
23 for me over that. But they -- the Bristol Bay Native
24 Association has convened a meeting where they have invited
25 Commissioner Rue and the Fish and Game managers to sit down
26 and kind of do a recap, and step by step I think go through
27 and relive some of the management decisions that were made
28 with regard to the sockeye fishery. And I -- being -- it's
29 always easy to be, you know, a Monday night quarterback,
30 and be able to say you did it differently, but at least
31 from my perspective, it did look as though information was
32 not flowing as smoothly between State and Federal folks,
33 and for that matter even between I think divisions within
34 the State. And I know that many of the comments that I got
35 back from communities in the Lake Clark Region, there was a
36 lot of dissatisfaction with the fact that the burden of
37 conservation seemed to fall most heavily on the sport
38 fishery, of which many people in the lake communities are
39 very dependent upon, that many of their local businesses
40 rely on that sport business during the summer months.

41
42 So I'm not exactly sure how that may be changed in
43 the future, but it will be something that we'll need to
44 keep an eye on, and perhaps to avoid miscues where the
45 sport fishery is shut down, and then the commercial fishery
46 basically continues, which in many cases was where a lot of
47 the tensions arose.

48
49 CHAIRMAN LOHSE: So -- but basically it
50 wasn't -- it was mostly -- that was State of Alaska, that

00181

1 was not too much -- there wasn't many decisions made by the
2 Federal department in it?

3

4 MS. MCBURNEY: No. No, in fact we -- there
5 was very little for the Federal manager to do at that
6 point. It was between the sport fish and the commercial
7 fish divisions, and their timing of emergency closures.

8

9 CHAIRMAN LOHSE: Okay. Any other questions
10 for Mary?

11

12 (No audible response)

13

14 CHAIRMAN LOHSE: Thank you.

15

16 MS. MCBURNEY: Thank you.

17

18 MR. BOYD: Thanks, Mary. That's my report.

19

20 CHAIRMAN LOHSE: That's your report.

21 Anybody have any more questions for Tom?

22

23 MR. ELVSAAS: No.

24

25 CHAIRMAN LOHSE: Anybody in the audience

26 got a question for Tom?

27

28 MR. ELVSAAS: Drive safely.

29

30 MR. BOYD: I'm going to listen a little

31 more.

32

33 CHAIRMAN LOHSE: Nobody has a question for
34 you. You're -- thank you for the report. We'll see you.
35 Like he said, drive safely if you leave before the rest of
36 us.

37

38 MR. BOYD: Okay.

39

40 CHAIRMAN LOHSE: Okay. Let's take a five-
41 minute break, and five-minute breaks always end up being
42 ten-minute breaks, so let's go to 9:30, and then let's get
43 started back on our proposals.

44

45 (Off record)

46

47 (On record)

48

49 CHAIRMAN LOHSE: Put the meeting back in
50 session. I got a request for testimony on the resource

00182

1 monitoring program, and I'd like to give somebody a few
2 minutes to talk on that from the other side. Bruce?

3

4 MR. CAIN: Thank you, Mr. Chairman. I'm
5 Bruce Cain with Native Village of Eyak, and I just had a
6 comments on the process that maybe it will be helpful in
7 the future. I know this is a new program, and we're kind
8 of working the kinks out of it.

9

10 For example, the project 34, the Miles Lake sonar
11 improvement project. That's a very important project to
12 us, but I notice in the consultations portion of this
13 project, it says we are providing copies of all proposals
14 to the Native Village of Eyak, and are waiting comments and
15 discussion. Now, you know, maybe they've done that, but to
16 my knowledge we don't have any record of that in our files
17 that I've seen, and I know that the council has not, at
18 least to my knowledge, met and discussed this. And I think
19 that's kind of a common problem across the state. I had
20 Matt from the Sport Fish Division come by my office on the
21 15th at about 3:00 o'clock and dropped a proposal off, said
22 he wanted me to review it and get back to him. You know,
23 there was no way for me to get that to the council or have
24 it reviewed, although I appreciated him bringing it by.
25 That's the first one that at least I've seen of fish and
26 game proposals that have come to the Native Village of
27 Eyak.

28

29 One of the things that would maybe help, and this
30 is kind of just standard operating procedure among most
31 proposal submission process with tribal governments is that
32 you have a resolution of the tribe submitted with the
33 proposal. That kind of takes, you know, the gaming out of
34 it. You know, if you've got to have a tribal resolution
35 with your proposal, you know, that's pretty solid
36 documentation that you've consulted with the tribe, that
37 the council has, you know, reviewed it and approves of the
38 project. You know, the -- going and talking to a member of
39 the tribe, you know, that doesn't count as tribal
40 consultation. You know, it needs to go to the governing
41 body. You know, bringing a proposal by the executive
42 director, you know, two hours before the proposal's
43 submitted is not tribal consultation. I'm -- you know, I'm
44 just an employee. And so, you know, the tribal resolution
45 from the governing body is pretty much your prima facie
46 evidence that tribal consultation has occurred. And I
47 would suggest that that's something that, you know, for the
48 managers and the Fish and Game people, and everybody
49 working in this new program, that that be a procedure that
50 we institute.

00183

1 And just kind of a specific on this proposal, not
2 to belabor it, some of the problems that it causes is, for
3 example, in this proposal there's \$50,000 going to a local
4 contractor to upgrade the substrata at the Miles Canyon
5 site. You know, the Native Village of Eyak is very capable
6 of doing that work, and very much would like to do that
7 work, but, you know, at least at this point, I was by there
8 last Saturday, and you know, it was sitting there way out
9 of the water, ready to be snowed on, nobody's out there
10 working on it. And here's -- you know, here's \$50,000 on
11 the table to get that job done. I mean, I could have guys
12 out there today working on it if I knew about it. And, you
13 know, getting that job done.

14
15 So those are the kind of problems that this
16 nonconsultation process is creating. And I think it's good
17 that, you know, people are working together, and I think
18 it's good that we're -- you know, we have some of these
19 opportunities, but, you know, I think a simple change in
20 the process that's already, you know, just a standard
21 procedure, you know, with tribal contracting just be, you
22 know, extended to this. So I guess that's my comment.

23
24 CHAIRMAN LOHSE: Any questions for Bruce?
25 Tom, have you got any questions for him?

26
27 MR. BOYD: No. I don't have any questions,
28 just -- I'll just provide a response. It -- I made note of
29 his comments and I'm going to be following up on them.

30
31 CHAIRMAN LOHSE: Okay. Yeah, I like the
32 idea of the fact that you'd have to have a tribal
33 resolution so that you know it's from the group and not
34 just from an individual in the group.

35
36 MR. BOYD: Yeah. Another comment. This
37 would have occurred -- this was a preproposal that came in
38 early this year. I'm not sure of the date, but as we
39 scrambled to get this program off. I'm no sure when a
40 proposal went to the Native Village of Eyak, but it would
41 have been several months ago, prior to the summer season.
42 So these are -- this is a copy of the preproposal that came
43 in that we selected the 2000 projects from. So it was some
44 time ago. I'm not sure what -- it says -- it sort of spoke
45 that we were awaiting comments and discussion. I'm not
46 sure if there was actual follow-up or any comments
47 provided. I'm not even sure that the copy of the proposal
48 went to the Native Village of Eyak, but I will follow up to
49 find out.

50

00184

1 CHAIRMAN LOHSE: Tom, was this a proposal
2 that -- when it's a 2000 proposal, though, it's something
3 that was supposed to be done.....

4
5 MR. BOYD: In this year.

6
7 CHAIRMAN LOHSE:in 2000?

8
9 MR. BOYD: Yeah, in 2000.

10
11 CHAIRMAN LOHSE: It was supposed to be
12 done.....

13
14 MR. BOYD: Right.

15
16 CHAIRMAN LOHSE:in 2000.

17
18 MR. BOYD: Right.

19
20 CHAIRMAN LOHSE: It's not a proposal put in
21 in 2000 for 2001, right?

22
23 MR. BOYD: That's correct. And I'm not
24 sure why work hasn't been done, but again I'm going to be
25 following up.

26
27 CHAIRMAN LOHSE: And was it in -- this is
28 the preproposal, but was this an approved proposal?

29
30 MR. BOYD: Yes.

31
32 CHAIRMAN LOHSE: This was one that went
33 through then?

34
35 MR. BOYD: That's correct.

36
37 CHAIRMAN LOHSE: yeah, I know, I was out
38 there, too, Bruce, and I saw the substrate sticking out of
39 the water. It sure would have been easy to work on it
40 right now.

41
42 MR. BOYD: Right.

43
44 CHAIRMAN LOHSE: So -- we have the Forest
45 Service right there.

46
47 MR. BAKER: Yeah. Ralph and Tom, on this
48 particular project, I believe it has been postponed at the
49 request of Alaska Fish and Game until next year, so we can
50 follow up, you might check on it.

00185

1 MR. CAIN: Well, just for the record, on --
2 you know, the Native Village of Eyak is very interested in
3 that \$50,000 contract to upgrade the substrate.

4
5 CHAIRMAN LOHSE: Thank you.

6
7 MR. CAIN: And we'd like to know about
8 anything that happens on it.

9
10 CHAIRMAN LOHSE: I'll ask you later why
11 they postponed it.

12
13 MR. BAKER: I don't know.

14
15 CHAIRMAN LOHSE: You don't know, okay.
16 Okay. With that, now we're going on to our proposals. We
17 have Proposal 17 in front of us.

18
19 MR. BERG: Good morning everyone, Chair,
20 members of the Council. Proposal 17 addresses the
21 Batzulnetas fishery, and, of course, that's the fishery
22 that instigated the Federal involvement in the fisheries,
23 and basically has been regulated by court orders for the
24 past 13 years, and so hopefully by -- if we can work out a
25 solution to get this put into regulation, it will lessen
26 the burden on the participants so they don't have to go
27 back to the court every year to -- for this fishery to
28 occur.

29
30 Proposal 17 was submitted by the Native American
31 Rights Fund on behalf of the plaintiffs, and requests five
32 different changes to the current existing Batzulnetas
33 subsistence fishery that's occurring under the court order.
34 And I've summarized those five changes on the first page of
35 the staff analysis, and basically the changes that they're
36 requesting would open up the fishery seven days a week
37 without weekly harvest limits. Currently they're
38 restricted to 250 sockeye salmon per week. Permit holders
39 would be allowed to harvest chinook salmon. Currently
40 they're not allowed to harvest chinook salmon. They would
41 be able to use rod and reel. And they're also requesting
42 that the permits be issued and administered by that
43 National Park Service, and that Park Service install and
44 maintain regulatory markers.

45
46 The current fishery is operating under the
47 stipulations outlined on page two, and I won't go into
48 those details. Well, I guess I could briefly summarize,
49 that chinook are not allowed to be taken, the fisheries
50 open seven days a week, June 1st to September 1st, no more

00186

1 than 250 sockeye a week. No more than 1,000 sockeye per
2 season. Permits are issued by Fish and Game. Fish wheels
3 and dip nets are allowed in the Copper River Section
4 portion of the fishery, and dip nets and spears are allowed
5 in Tanada Creek. Fish wheels operating in the Copper River
6 must be equipped with a live box or monitored at all time,
7 and chinook are to be released to the water.

8

9 Basically the -- for those who are not familiar,
10 the Batzulnetas fishery is located upstream of the upper
11 Copper River District near the confluence of Tanada Creek
12 and the Copper River, and on page 100 you'll see a map of
13 the Copper River area, and the location of the Batzulnetas
14 fishery. Access to the Batzulnetas fishery, it does
15 require crossing either private lands or transportation by
16 boat, so access is somewhat limited.

17

18 And that's important because of the customary and
19 traditional use determination that exists in Federal
20 regulation at this time. And it's somewhat complicated,
21 but I'll try to explain it as best I can. The original C&T
22 determination that was made for this fishery and other
23 fisheries statewide basically are the result of a general
24 provision that was adopted by the Federal Subsistence
25 Board, and basically they adopted provisions to allow all
26 residence in each fishing area to have a C&T for a
27 particular fisheries, and expected that specific findings
28 of C&T would be developed at a later date. So that's kind
29 of how we got to where all Prince William Sound area
30 residents are currently allowed to have -- or currently
31 have C&T for the Batzulnetas fishery, just as they do in
32 the Glennallen Subdistrict and other areas around the
33 state, was that they adopted a general provision for
34 fisheries in the areas around the state.

35

36 As you may remember on the wildlife side, it used
37 to be that all -- unless there was a specific C&T that had
38 been made, all rural residents would qualify for certain
39 C&T's until a specific finding was made.

40

41 And to make it even a little bit more specific, in
42 the Batzulnetas fishery, if you look at a more specific map
43 on page 104, you can see that Tanada Creek and Tanada Lake
44 and the Batzulnetas fishery lies entirely within the
45 national park boundary, and is not in the preserve. And so
46 that makes a difference on who is eligible under Park
47 Service regulations. And since that fishery occurs within
48 the park boundary, the participants are limited to those
49 who are eligible in the resident -- or are in resident zone
50 communities or qualify under the 13.44 permit process. So

00187

1 even within the Prince William Sound area, residents who
2 are eligible under the Federal subsistence regulations,
3 Park Service regulations further limit it to those who have
4 resident zone status, and that's 17 different communities,
5 and I've listed those there on the top of page 101.

6
7 Just to briefly go through some of the regulatory
8 history, of course, the Batzulnetas has been a traditional
9 fish camp by the Ahtna people for thousands of years and it
10 wasn't until 1964 when the Copper River tributaries,
11 including Tanada Creek and the Copper River above Slana
12 were closed to subsistence fishing by State regulation.
13 And then in 1985, of course, is when Katie John filed civil
14 suit in the U.S. District Court to re-establish her
15 traditional fishing area and fishing rights in that area.
16 There was no court decision made in that year. In 1996
17 (sic) there was no court order issued. And it wasn't until
18 1987 that there was a court-directed fishery, and, of
19 course, that fishery's been court directed from 1987
20 through the present, through this 2000 season.

21
22 To go over some of the biological information that
23 we have for Tanada Creek, there are over 124 salmon stocks
24 that have been identified throughout the entire Copper
25 River drainage, and two of those stocks have been
26 identified to be spawning populations in Tanada Creek, one
27 around the perimeter of the lake and then another one at
28 the outlet of the lake. And Fish and Game has conducted
29 aerial surveys in Tanada Creek since 1962, and then Park
30 Service has participated in doing aerial surveys in most
31 recent years. And then there was some efforts to put a
32 weir in Tanada Creek, and Fish and Game operated that weir
33 in three different years, and then Park Service operated
34 the weir in 1997 and '98, and then, of course, it got
35 washed out this year as you heard already.

36
37 And basically aerial counts, you know, they're not
38 meant to be an absolute number of fish in the run. They're
39 just used as a relative index of the run strength in the
40 stream, so there is some effort to try to, you know, make
41 some sort of a correlation between the weir counts, which
42 is a little bit better estimate of total run size, and the
43 aerial counts, even though there's only five years of data
44 and you can't really make a correlation at this time.

45
46 And as you can see, the weir counts, operated by
47 Fish and Game in the 70s, and then the Park Service in the
48 later 90s, have varied quite a bit, and so the run size
49 does appear to vary substantially in that stream. But
50 based on the limited data that we do have, it does appear

00188

1 that the sockeye salmon return to Tanada Creek could be as
2 high as 19,000 fish, but that again is based on the limited
3 data that we do have, and it does appear that the abundance
4 is highly variable if you look at the weir counts.

5

6 For chinook salmon there's even -- you know, there
7 certainly is limited data available as well. The weir in
8 the five years that it did operate only counted five
9 chinook in 1979, two in '97, and two in '98, so very few
10 chinook salmon appear to be coming into Tanada Creek, even
11 though some -- there could be a few more chinook arriving
12 in the creek prior to when the weir was put in, and maybe
13 we can get more information here at the council meeting,
14 folks in the -- and maybe Fred John on the council, or
15 other members in the audience that can provide a little bit
16 more information if they have it on that -- on the chinook
17 fishery in Tanada Creek.

18

19 And then I also provided some background
20 information on the Copper River management plans, just as I
21 kind of discussed a little bit yesterday. There's a brief
22 summary of these plans in the report, in the staff analysis
23 here, and there's three management plans for the Copper
24 River that help guide harvest management, and the
25 escapement goals are identified in these plans for the
26 managers to use when they manage the fishery.

27

28 There's some information on harvest reports from
29 the Batzulnetas fishery and the permits that were issued
30 since 1987, and harvest reports have varied from a low of
31 16 sockeye salmon in 1995 to a high of 997, just short of
32 the 1,000 fish season limit in 1994, but it's typically
33 been in the hundreds of fish during those years.

34

35 You can see in the table that I've summarized some
36 of the other harvest for the other fisheries that occur
37 lower down in the system.

38

39 And with that, that really brings me to the
40 preliminary conclusion which is to support the proposal
41 with some modifications, of course, and that is to issue --
42 continue to try to issue a State subsistence permit rather
43 than a Park Service permit as requested. And that would
44 certainly -- we feel that would minimize confusion and keep
45 the reporting the same to Fish and Game. It would have
46 start -- we're also suggesting that we establish harvest
47 limits similar to the Glennallen Subdistrict permit
48 requirements, and that is you could get a permit for 30
49 sockeye for a household of one or 60 for a household of
50 two, or if requested, you can get a permit for 200 sockeye

00189

1 for a household of one or 500 sockeye for a household of
2 two or more. And because the C&T determination doesn't
3 seem to fit the use of the Batzulnetas fishery, we do
4 recommend that a C&T analysis specific to that fishery be
5 done in the 2002 regulatory year, so basically next year
6 we're recommending that a C&T analysis be done for that
7 fishery.

8

9 We're suggesting that we maintain the ADF&G
10 regulatory markers for the Batzulnetas fishery, since they
11 already exist there, but also recommend putting into regu
12 -- you know, a description of where those regulatory
13 markers are into regulation so basically it would describe
14 and say that the lower one-half mile of Tanada Creek would
15 be open to sockeye salmon harvest.

16

17 We're also recommending that the use of rod and
18 reel be allowed in Tanada Creek, but maintaining the
19 closure on chinook salmon and that chinook salmon may not
20 be harvested. And with that chinook salmon restriction,
21 we're also recommending that we maintain the regulation
22 that's in place that fish wheels operating in the fishery
23 be equipped, either be equipped with a live box, or
24 monitored at all times to release the chinook salmon that
25 are caught, because there's low -- because of the low
26 numbers.

27

28 And with that, that's all I have. Be happy to
29 answer any questions and get into more details if you have
30 questions.

31

32 CHAIRMAN LOHSE: Anybody have questions for
33 Jerry?

34

35 MR. ELVSAAS: I have one question on page
36 108, subsistence fishery, the sockeye harvest limit, 1000
37 per season, is that for the system? Is that for the creek
38 or per person?

39

40 MR. BERG: That's for the Batzulnetas
41 fishery.....

42

43 MR. ELVSAAS: As a whole?

44

45 MR BERG: As a whole.

46

47 MR. ELVSAAS: Okay. Because looking at the
48 catches, it doesn't -- there's a great difference there.
49 And the next page, the harvested fish is -- a matter of
50 fact, '99 only 52 fish were taken, but I see in '94 it was

00190

1 close to the limit, so.....

2

3 MR. BERG: Uh-huh. (Affirmative)

4

5 MR. ELVSAAS:that seems to be
6 reasonable then. Also, well, the two runs, is the fishery
7 primarily the late run fish, or do they fish the whole
8 season? It says there's two runs of fish, the early run
9 and late run.

10

11 MR. BERG: Well, I'm -- maybe Fish and Game
12 can answer that more specifically. I'm only aware of the
13 two different spawning populations in the lake itself, and
14 I'm not sure if there's an early run or late run. It seems
15 like the run timing is variable, and sometime dependent on
16 the water flow out of Tanada Creek. But.....

17

18 MR. ELVSAAS: I understand. I was thinking
19 it was two runs. It's two populations. They basically
20 come through the same timeframe then?

21

22 MR. BERG: Yeah, that's my understanding,
23 is they come through at the same time line, but they spawn
24 in separate areas in Tanada Lake.

25

26 MR. ELVSAAS: Right.

27

28 CHAIRMAN LOHSE: Anybody else?

29

30 MR. F. JOHN, JR: Mr. Chair?

31

32 CHAIRMAN LOHSE: John?

33

34 MR. F. JOHN, JR.: I'd like to know why
35 chinooks not allowed to be up here when the other areas
36 chinooks are allowed to be caught?

37

38 MR. BERG: Yeah, I think that's -- you
39 know, that's probably the most difficult part of this
40 proposal in my mind is, you know, we just -- we don't have
41 very much chinook information, and it -- you know, from the
42 limited data that we do have, there's very few chinook
43 coming through the system. It could be that, you know,
44 there's more chinook coming through the system prior to the
45 weirs being put in, the years that we do have that
46 information, and I was, you know, wondering if maybe
47 there's some historical harvest information that you're
48 aware of, or anybody else, that -- of what the chinook
49 harvest have been in that fishery. There -- you know, I
50 guess -- my understanding is that Fish and Game did do some

00191

1 aerial surveys for chinook in that area in years past, but
2 typically do not survey that area for chinook at this time
3 for aerial surveys, because it's not known to be a real
4 high chinook producer in that system. And I'm not even
5 sure if there's a real stable -- it could be a small
6 population of chinooks spawning in there, but if there is,
7 it's a very small population, and certainly want to protect
8 them if there are chinooks spawning in there.

9

10 MR. F. JOHN, JR.: What you mean, you
11 really don't know if there's a lot of chinook or there's
12 hardly any?

13

14 MR. BERG: That's my understanding is that
15 we're -- yeah, there's very limited data, and we're not
16 quite sure what the -- they could just be strays that are
17 coming up into the system, or it could just be a small
18 population.

19

20 MR. F. JOHN, JR.: Thank you.

21

22 CHAIRMAN LOHSE: Any other questions for
23 Jerry?

24

25 MR. DEMENTI: Yeah, Jerry, before you did
26 your studies, do you know if there was a lot of chinook
27 there? Did they fish a lot of chinook there or.....

28

29 MR. BERG: I don't -- I'm not aware of.....

30

31 MR. DEMENTI:was there any word by
32 mouth or whatever?

33

34 MR. BERG: Yeah. I'm not sure.

35

36 MR. TAUBE: The historical information we
37 have on Tanada is all based upon aerial surveys mainly
38 flown by Ken Roberson back in the '70s and '80s, and there
39 were never any large numbers of chinook spotted in Tanada
40 Creek when that was done, or even probably into the '60s
41 that we saw from the air. And so there -- it's always been
42 just a small remnant population possibly that we suspect.
43 And a lot of the upper Copper River chinook populations are
44 pretty small. Our largest one we see is on the
45 Chistochina, and then up above there, they're all, you
46 know, a couple hundred spawners in each of those little
47 streams.

48

49 CHAIRMAN LOHSE: Has anybody gathered any
50 historical knowledge as to whether, you know, was it a

00192

1 chinook fishery, or was it a sockeye fisher historically?

2

3 MR. TAUBE: That I don't -- I don't know if
4 our Subsistence Division could answer that better than I
5 could.

6

7 MR. SIMEONE: We're in the process of
8 collecting information, but I haven't -- I can't recollect
9 off hand if I've -- if we found any historical, or like
10 1920s, harvest data. I know there is a little bit of that
11 information from a Fish and Wildlife Service guy that was
12 up here in the '20s, but I haven't -- I can't remember what
13 it said, and I haven't seen it for a long time. So.....

14

15 CHAIRMAN LOHSE: Bruce?

16

17 MR. CAIN: Yeah, that report that Bill's
18 referring to, there was -- there is a report that I've seen
19 that is published by the U.S. Fish and Wildlife Service. I
20 think it goes from 1920s to 1938, or maybe it was the start
21 of the war, maybe even 1941, and one of the index -- one of
22 the indexes that they used for estimating the Copper River
23 run at that time was the count of salmon on native fish
24 racks, and the Batzulnetas camp was one of the index camp.
25 And they have tabulated the data from 1920 to 1938. And I
26 think as I recall there was as high as 27,000 fish on the
27 fish racks at Batzulnetas. Now, I don't know if they broke
28 it out by kings and sockeyes, but it might be a good report
29 to review, and it might get you started, you know, talking
30 to some people that are maybe still around that could, you
31 know, give you an idea.

32

33 CHAIRMAN LOHSE: Thank you, Bruce. I've
34 got a couple questions, Jerry. You said that the run might
35 be as high as 19,000 sockeyes, and yet the weir count in
36 '98 was 28,000, '97 was 27,000. So -- I mean, that's --
37 the run's got to be over 19,000 if it's that size.

38

39 MR. BERG: Yeah, that's just an estimated
40 average taken.....

41

42 CHAIRMAN LOHSE: Oh, that's an average run.

43

44 MR. BERG: Yeah.

45

46 CHAIRMAN LOHSE: Okay.

47

48 MR. BERG: Right.

49

50 CHAIRMAN LOHSE: Now.....

00193

1 MR. BERG: Given that variation. And, of
2 course, that's a -- you know, that's not a very firm number
3 as well, I don't believe, just because of the limited
4 amount of data that is available. It does appear that
5 there's, you know, a relatively strong run of fish going up
6 that river, but, you know, just how strong it is I guess is
7 somewhat speculative.

8
9 CHAIRMAN LOHSE: Well, now why wouldn't the
10 weir count be hard data?

11
12 MR. BERG: Oh, I think those weir counts
13 are good hard numbers.....

14
15 CHAIRMAN LOHSE: But you think those.....

16
17 MR. BERG:there just aren't very many
18 years working with them.

19
20 CHAIRMAN LOHSE: Okay. What you're saying
21 is you don't have enough of them to get a.....

22
23 MR. BERG: Yeah.

24
25 CHAIRMAN LOHSE:to get a good
26 average?

27
28 MR. BERG: Right. Maybe.....

29
30 CHAIRMAN LOHSE: But the -- there's no --
31 there's nothing suspect about those weir counts then? I
32 mean, they're.....

33
34 MR. BERG: No.

35
36 CHAIRMAN LOHSE:they were good solid
37 weir counts. And then this year you lost the weir, right?

38
39 MR. BERG: Right.

40
41 CHAIRMAN LOHSE: Because that brings up the
42 next question. Was the catch of 52 this year because of
43 high water, because of lack of effort, or because of lack
44 of fish?

45
46 MR. BERG: In 1999?

47
48 CHAIRMAN LOHSE: In 19 -- oh, in 1999.
49 Yeah, 1999.

50

00194

1 MR. BERG: I'm not sure why that harvest
2 was so low. I don't know if Tom can add to that.

3
4 MR. TAUBE: Oh, a lot of times with this,
5 and maybe Fred might be better to answer it, what I've
6 learned is a lot of times the wheel has been damaged or
7 something, and it cuts in fishing time. And it's more a
8 factor of effort. And I guess the other thing with these
9 weir counts you need to consider is that '97/98 we had some
10 very high sockeye return to the Copper River drainage.
11 And, you know, we had sonar counts of over 1.2 million I
12 believe in '97, and in '98 it was around 900,000, and so
13 the individual stocks can be highly variable in returns in
14 each given year, so saying that there's a return of 20,000
15 doesn't mean that every year there's going to be 20,000
16 fish returning to that system.

17
18 CHAIRMAN LOHSE: Okay. Now, is that weir
19 project that washed out this year, is that weir project on
20 the maintenance list? I mean, that's intended to have that
21 in long enough to get some good averages?

22
23 MR. BERG: Yeah, that project is funded at
24 least for the next two years, and I would imagine that, you
25 know, even past that time that there would be another
26 proposal submitted to extend that project.

27
28 CHAIRMAN LOHSE: Did they lose the weir
29 early enough this year that they got no indication at all
30 or?

31
32 MR. BERG: Maybe Eric Veach could answer
33 that more. He was in charge of that project. I know they
34 got some aerial surveys this year which will helpful as
35 index counts, but I'm not sure if they got any counts at
36 all. Maybe Eric could answer that for us?

37
38 MR. VEACH: No, we didn't get any counts at
39 all. We operated the weir for about three days or so this
40 year, and the fish hadn't moved up yet. We have been doing
41 some aerial counts, and ADF&G's been doing some aerial
42 counts, and actually they've been seeing a little higher
43 numbers than we do, than we have, but there were definitely
44 -- there was a fair slug of fish that did make it up to
45 Tanada Lake this year, but my guess is probably not as high
46 as we saw in '97 and '98.

47
48 CHAIRMAN LOHSE: So you say that the aerial
49 counts were below '97/98, but pretty fair aerial count. Do
50 you know.....

00195

1 MR. VEACH: Yeah.

2

3 CHAIRMAN LOHSE:was there much
4 subsistence fishing on Tanada Creek this year?

5

6 MR. VEACH: Fred John might be able to tell
7 us that better, but I -- we didn't observe any. We didn't
8 observe the wheel operating, we didn't observe anyone
9 dipnetting in the stream this year, so.....

10

11 CHAIRMAN LOHSE: Do you have any idea on
12 that, Fred?

13

14 MR. F. JOHN, JR.: What I gather is that,
15 you know, some years the waters are too high, and then we
16 monitor the fish wheel compared to some when we go down
17 and camp out, but most of the time when we leave we, you
18 know, like we shut the fish wheel down, and a lot years we
19 lost the fish wheel. So it's kind of hard, you know, to
20 stay there every day, because we all --well, we all live up
21 here in the village, and we work and probably Kathryn could
22 -- Kathryn Martin could say some more about it.

23

24 CHAIRMAN LOHSE: Do you have any -- anybody
25 else have any questions? Do you have another piece of
26 information to share?

27

28 MR. VEACH: I was just going to mention we
29 did notice that the wheel had washed out this year, that in
30 fact I was out there earlier this week, and it looked like
31 it needed some work, so.....

32

33 CHAIRMAN LOHSE: Okay. Okay. So basically
34 what the proposal asks for is to allow chinook, to take
35 away the limit on sockeye, to add rod and reel, and to
36 change to National Park Service administration, am I
37 correct?

38

39 MR. BERG: Yes, and add National Park
40 Service markers. That pretty well.....

41

42 CHAIRMAN LOHSE: To add National Park.....

43

44 MR. BERG:summarizes it.

45

46 CHAIRMAN LOHSE:Service markers?

47

48 MR. BERG: Uh-huh. (Affirmative)

49

50 CHAIRMAN LOHSE: And you're suggesting a

00196

1 modification that does what? How much of that?

2

3 MR. BERG: Well, we're suggesting that we
4 maintain the ADF&G permits and ADF&G regulatory markers
5 since they're already in place, and it seems like it would
6 keep it a simpler system. But that basically the -- it was
7 -- the fishery was limited to the plaintiffs in the court
8 case prior to, so this would open it up to all Prince
9 William Sound area residents, so that's one difference,
10 even though access would be limited, because you have to
11 cross private land, or you could come up with a boat, which
12 would be fairly difficult. We are suggesting that rod and
13 reel be allowed in Tanada Creek, but maintaining that
14 chinook salmon not be harvested, and that while the fish
15 wheel is operating, either someone be there to monitor
16 that, to release the chinook salmon, or we get back into
17 the live box issue from yesterday, which is similar, but
18 not the same for this proposal. And then since there --
19 you know, the harvest limits in the past were no more than
20 250 per week, or 1,000 for the season, we're suggesting
21 that we just adopt the Glennallen Subdistrict harvest
22 limits for the Batzulnetas fishery, which would basically
23 allow each permit holder, if they wanted to, to harvest up
24 to 500 sockeye salmon per permit.

25

26 CHAIRMAN LOHSE: And that's because this
27 proposal then opens it up to people other than just the
28 plaintiffs in the case?

29

30 MR. BERG: That's correct.

31

32 CHAIRMAN LOHSE: This proposal opens it up
33 to anybody that from what I understand lives -- that has a
34 Park Service 13.44 or lives in a resident zone community?

35

36 MR. BERG: That's correct.

37

38 CHAIRMAN LOHSE: Okay. Thank you, Jerry.

39

40 MR. BERG: Thank you.

41

42 CHAIRMAN LOHSE: Thanks for the
43 introduction on that. Let's take a look at what the ADF&G
44 has to say?

45

46 MR. ELVSAAS: I have a question
47 (indiscernible - simultaneous speech)

48

49 CHAIRMAN LOHSE: You have a question for
50 Jerry?

00197

1 MR. ELVSAAS: Excuse me, I have a question.
2 You said they -- there was -- to access the creek, you had
3 to cross private land, and here it shows it as park land.
4 Is there private land between the road and the creek, or
5 what -- is there in-holdings in the park?

6
7 MR. F. JOHN, JR.: Yeah, there's private
8 land. There's private land right in that area.

9
10 MR. ELVSAAS: Oh, okay. It just doesn't
11 show it there is all.

12
13 MR. F. JOHN, JR.: Yeah.

14
15 CHAIRMAN LOHSE: It's inside the park
16 though?

17
18 MR. F. JOHN, JR.: Uh-huh. (Affirmative)

19
20 CHAIRMAN LOHSE: Yeah, but it's private
21 land. Any other question for Jerry?

22
23 MR. ELVSAAS: No.

24
25 CHAIRMAN LOHSE: Okay. Alaska Department
26 of Fish and Game.

27
28 MR. HAYNES: Thank you, Mr. Chairman.
29 You'll see the Department's comments on the original
30 proposal on page 114. The modifications made to this
31 proposal by -- in the Federal staff analysis addresses many
32 of the concerns we raised in our comments.

33
34 Tom and I were just talking that we may have to do
35 a little bit of -- if -- assuming that this preliminary
36 conclusion would end up being the regulation, the ability
37 of the Department to issue a permit allowing more than one
38 gear type, we could not do that right now. So even though
39 we would like to see the Department continue to issue
40 permits, our regulations in this area don't allow us to
41 issue more than one permit per family, and the permit can
42 only be for one gear type. So if there was an interest in
43 using gear other than fish wheel, or having the opportunity
44 to use multiple gears, we would have to do some fine tuning
45 to our regulations it appears.

46
47 So we basically believe that the preliminary
48 conclusion addresses most of our concerns, and the issue of
49 the permit is something we could hopefully get worked out.

50

00198

1 CHAIRMAN LOHSE: Would it be easier, Terry,
2 I know -- I see you don't support having a parallel permit
3 program, but since it's in the park, would it be easier to
4 have a parallel permit program than it would be to get
5 Alaska department regulations changed to allow more than
6 one gear type, and then the burden would be on the National
7 Park Service instead on the Alaska Department of Fish and
8 Game?

9
10 MR. HAYNES: I'm not sure how to answer
11 that. I wasn't involved in some of the discussions that
12 our staff have had with the Federal staff, and I know that
13 we did -- we do want to see this permit program discussed
14 in the context of other coordination and protocol
15 activities, and perhaps Jerry has some insights on what
16 kinds of discussion we may have had about permitting.

17
18 MR. BERG: Yeah, we -- you know, this --
19 the permitting issue comes into play in a number of
20 proposals statewide as to how we're going to issue, have
21 Federal regulations with a State permit, and we certainly
22 want to stick with a State permitting system as much as we
23 can, just to -- it's already a complicated system with dual
24 management, and that just further complicates the matter.
25 But we did discuss permitting for this fishery in, you
26 know, specifically with Park Service and with Fish and
27 Game, and if we do have to go to a Federal permit, because
28 we can't work out the details, you know, Park Service has
29 indicated that they're willing to take on that
30 responsibility if we need to go in that direction.

31
32 It does currently state I believe that only -- you
33 can get a permit under -- using these different methods,
34 but you have to identify what method you want to use on
35 your permit, and so we might have to work around those
36 details to allow multiple gear types for this permit.

37
38 CHAIRMAN LOHSE: Terry?

39
40 MR. HAYNES: Mr. Chairman, I just noticed
41 in the Federal subsistence fishing regulations the
42 same.....

43
44 CHAIRMAN LOHSE: Same wording?

45
46 MR. HAYNES: Same wording. In the upper
47 Copper River district, subsistence salmon fishing area,
48 only one type of gear may be specified on a permit, and
49 only one permit per year may be issued to a household. So
50 I guess that problem occurs in the Federal regulations as

00199

1 well.

2

3

CHAIRMAN LOHSE: Devi?

4

5

MS. SHARP: Devi Sharp, Wrangell/St. Elias.

6

7

8

9

10

11

12

13

14

UNIDENTIFIED VOICE: Yeah, that's.....

15

16

17

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00200

1 MR. HAYNES: Mr. Chairman, we believe that,
2 you know, based on what we know about that fishery now,
3 that if the -- we support continuous fishing from June 1st
4 to September 1st. We think that the individual and
5 household bag limit should be retained, and that would
6 provide some protections to.....

7
8 CHAIRMAN LOHSE: That would provide.....

9
10 MR. HAYNES:to those stocks.

11
12 CHAIRMAN LOHSE: That would provide the
13 necessary protection?

14
15 MR. HAYNES: Yeah. Yeah. We believe so.

16
17 CHAIRMAN LOHSE: Okay. So there's no
18 problem with the season length?

19
20 MR. HAYNES: No, I -- again, you have to
21 look at this as a package of recommendations.....

22
23 CHAIRMAN LOHSE: Right.

24
25 MR. HAYNES:that are being made, and
26 if you remove any one of those, then that potentially
27 affects how we might respond to the others.

28
29 CHAIRMAN LOHSE: Right. Okay. Any other
30 questions for Terry?

31
32 MR. ELVSAAS: You know, from what I know of
33 this, it seems the wheel turns and turns, and the State has
34 had the position of no fishery in this area, they went to
35 court with Katie John, had to sue to get something to get
36 eat, and now the State wants to issue permits in this area
37 to others. It just seems, you know, that we need to have
38 something that's a viable fishery for the people of the
39 area. As I understand it, that's where we're headed. I
40 just have a mixed feeling about the State being involved in
41 the permitting in something that they fought so hard to
42 deny the people, but nonetheless I think it's a good move.

43
44 CHAIRMAN LOHSE: Terry, correct me if I'm
45 wrong on that, this proposal wasn't put in by the State,
46 was it?

47
48 MR. HAYNES: No.

49
50 CHAIRMAN LOHSE: I mean -- and it's not --

00201

1 it's the fact that this proposal the way it's written,
2 opens it up to everybody, that that's why the permit
3 process has -- there has to be some kind of permit process
4 on it, because if it -- it doesn't -- it no longer limits
5 it to just the plaintiffs, right?

6
7 MR. HAYNES: That's certainly one of the
8 results of this proposal is that there is additional
9 eligibility.

10
11 CHAIRMAN LOHSE: Okay. Okay. So any other
12 questions for Terry?

13
14 (No audible response)

15
16 CHAIRMAN LOHSE: Thank you. At this point
17 in time, written public comments, do we have any, Ann?

18
19 MS. WILKINSON: Yes. Yes, you do. I'll
20 summarize. The United Fishermen oppose this proposal. The
21 implied unlimited harvest concerned them. They believe
22 that an annual harvest needs to be limited.

23
24 The Copper River/Prince William Sound Advisory
25 Committee opposes this. They said that this is an
26 administrative exercise with little relationship to
27 conservation or actual subsistence harvest. The advisory
28 committee's primary concern is the elimination of chinook
29 conservation, excuse me, measures, in other words, the live
30 box, release and monitoring. They believe that more
31 comprehensive investigation should be completed to relaxing
32 precautionary conservation measures.

33
34 There is also a comment from the Native American
35 Rights Fund. Heather Kendall Miller on behalf of Katie
36 John and Mentasta Tribal Council. The staff has
37 recommended several modifications to proposal FP01-17
38 submitted by the Native American Rights Fund respecting the
39 Batzulnetas subsistence fishery. I offer the following
40 comments in response to those recommended modifications.
41 I'm reading the whole thing because she has some specific
42 things here.

43
44 Staff has recommended that subsistence fishing
45 permits be issued by the State to minimize duplication of
46 effort and confusion amongst the various user groups. This
47 recommendation cannot be adopted as it is contrary to the
48 District Court's decision of March 30, 1994. In State
49 versus Babbitt, Number 90-0264 CV (HRH), consolidated with
50 Number A90-484-CV (HRH), the State argued in count three of

00202

1 its first amended complaint that it is entitled to continue
2 management of fish and game on the public lands, including
3 the ability to issue subsistence permits irrespective of
4 the Alaska Supreme Court's decision in McDowell versus
5 State, 785 page -- excuse me, paragraph 2(d)(1), Alaska
6 1989.

7

8 Judge Holland rejected this contention on several
9 grounds. Most pertinent to this discussion is the fact
10 that the State is no longer in compliance with ANILCA's
11 requirements in section 805(d), and therefore lacks the
12 power to take action to implement a rural Alaskan
13 preference.

14

15 In addition, even if the State were to issue
16 permits consistent with Federal regulations, the court
17 noted that there would be a substantial risk of State court
18 litigation which would seek to prevent the State from doing
19 by indirection what the Alaska Supreme Court has expressly
20 found to be unconstitutional, a rural preference. It is
21 the view of this court that such a suit would likely be
22 successful. And at, excuse me, 19 through 20.

23

24 Accordingly, permits cannot be issued by the State
25 and must be administered through the National Park Service.

26

27 Staff has also recommended that all fish wheels be
28 equipped with a live box. We continue to oppose the use of
29 a live box on the basis that the use of such is
30 inconsistent with customary and traditional practices.

31

32 On a final note, we recommend that the proposal be
33 modified to conform with other proposals submitted by CRNA
34 and provide for an open season as long as the catch does
35 not go over the harvest limit. In other words, the season
36 should not be limited to June 1 through September 1, but
37 should remain open to assure maximum opportunity up to the
38 catch limit.

39

40 And those are the only written comments I have.

41

42 CHAIRMAN LOHSE: Okay. That's the written
43 comments. I guess we can't ask any questions on them.
44 Okay. We have a bunch of people who would like to testify
45 on this one.

46

47 MR. F. JOHN, JR.: Morris Ewan.

48

49 CHAIRMAN LOHSE: Morris Ewan.

50

00203

1 MR. M. EWAN: Can I use your glasses?

2

3 CHAIRMAN LOHSE: Oh, you sure can.

4

5 MR.M. EWAN: I lost mine.

6

7 CHAIRMAN LOHSE: Don't let the paper clip
8 fall out of it.

9

10 MR. M. EWAN: Good morning. My name is
11 Morris Ewan. I'm from the Village of Gulkana. I am of the
12 Caribou Clan. I serve on the following committees and
13 boards: Subsistence Committee for Gulkana Village. I am a
14 board member of Gulkana Village Council, and I serve as a
15 tribal vice president for the Copper River Housing
16 Authority.

17

18 I am here to give public testimony on Proposal 17,
19 harvest limits, methods and means of harvest and season. I
20 support Proposal 17 with the change of having an open
21 season. I think the villages of Mentasta and Dot Lake
22 should be able to harvest salmon in an open season, and in
23 those areas as written in the proposal submitted, and be
24 able to use rod and reel to harvest fish and to turn
25 permits into Wrangell/St. Elias Park and Preserve.

26

27 The Villages of Mentasta and Dot Lake have
28 customarily and traditionally used the area described in
29 the proposal. There's documentation to show that they have
30 used these areas. All of the villages should be open --
31 should have an open season for fishing on the Copper River.
32 The villages have customarily and traditionally fished in
33 mid May until late October to harvest fish. Obviously
34 there wouldn't be that many people fishing in this area,
35 and they would not take too many chinook, steelhead or
36 rainbow trout. Most of this area is land and this would --
37 most of this area is private land, and this would permit --
38 prevent too many people putting fishwheels in this area.

39

40 Additionally, I am opposed to subsistence users
41 having the regulation of having to have a live box in the
42 fish wheel. This is not the way we have fished, and it is
43 not customary and traditional. This was a regulation and
44 just another regulatory imposition upon subsistence users.

45

46 I think the native people in Mentasta and Dot Lake
47 want to have Wrangell/St. Elias Park and Preserve
48 distribute and collect fish permits, that is fine with me.
49 Thank you for listening to me. Questions?

50

00204

1 CHAIRMAN LOHSE: Any questions for us?

2

3 (No audible response)

4

5 CHAIRMAN LOHSE: Thank you. Don't forget
6 your glasses.

7 MR. M. EWAN: Boy, they made me squint.

8

9 CHAIRMAN LOHSE: Thank you, Bruce.
10 Kathleen Martin.

11

12 MS. WOLF: We come by two. I'm Lotha Wolf,
13 and this is Katherine Martin. We're from Mentasta. I'll
14 have Katherine talk first, because we wrote down some of
15 the notes that we hear -- overheard.

16

17 MS. MARTIN: Good morning. I'm, how you
18 say, tribal administrator for the Mentasta Traditional
19 Council, also a mother of five. And I also how you say
20 live off the land and the river. And there's some things
21 that we'd like to bring up.

22

23 We are against the live box. This is not a
24 traditional thing for us. This would be something if it
25 was, how do you say, put on us that we'd have to learn.
26 Like they said, it would be -- they explained about it some
27 yesterday. To me it would be a hardship for us. It would
28 be something else more that's put on us. My grandma and
29 family have been fighting for this fishing for how many
30 years.

31

32 About the chinook and the king salmon, I would say,
33 yes, it should be, how you say, in the dip netting, or if
34 we're -- it's caught by dip net, rod and reel, whatever,
35 that it should be put back. But if it's caught in the fish
36 wheel, I don't think we should be restricted on us, because
37 we aren't there 24 hours, you know, watching the wheel. I
38 mean, if we do catch a king salmon in there, we're not
39 going to throw it back, not in the fish wheel. And I don't
40 think that restriction should be put on us.

41

42 And about the opening to the public or to the
43 Prince William Sound area, we're against this also. That
44 is private property there. It belongs to three people.
45 Katie John, which she's an elder from here. Gene Henry,
46 he's an elder from Dot Lake. Doris Charles, which is an
47 elder from Dot Lake. And we, how you say, through Katie
48 John using her property, been able to put in a fish wheel,
49 and also through Gene Henry. Doris Charles basically had
50 told us, you know, if we needed to use her land, we could,

00205

1 but we, how do you say, have stayed away from her property,
2 just in respect for her. And if it's opened to the public,
3 I think this would also cause a hardship on us, because
4 like you said, some people won't know about the private
5 property. They'll go in and do whatever they want to do,
6 and that's one thing we've been fighting for right here in
7 our own community.

8

9 And about the chinook, 50 years ago there used to
10 be a lot of chinook going up that way. Grandma remembers
11 them 50 years ago. She hasn't seen any since. Now maybe
12 Fish and Game or Park Service has seen, you know, one or
13 two in the couple past years, but Grandma said she hasn't
14 seen any in the past 50 years.

15

16 On the permit also, I don't think it should be
17 restricted to just -- if we get a permit, that we just have
18 to use the wheel, or if we just get it for dipnet, or if we
19 just get it for -- I think we should have the opportunity
20 to use all three. We also think it should be open season.
21 When they first started issuing these and we started
22 fishing, it was like you can fish Tuesday, Wednesday,
23 Thursday, and it's like what about, you know, Friday,
24 Saturday, Sunday, Monday when -- I mean, they didn't know
25 when the fish were coming through, and so like it shows on
26 our permits how many we have caught and whatnot, but it had
27 to do with the day and time that we were fishing, it had to
28 do with the water, it had to do with the channel of the
29 river. I mean, a lot of things and a lot of these
30 restrictions that were put on us, we were unable to harvest
31 the amount of fish that we needed for our community.

32

33 And on the permit, I believe that should stay with
34 the National Park Service, because the Mentasta Traditional
35 Council, we already have a cooperative agreement with the
36 National Park Service. It's a government-to-government
37 relationship that we have with them. Anything that happens
38 within Batzulnetas area, they talk with us, and we, how you
39 say, we work things out, and anything that we want to do,
40 we'd do the same thing, to make sure that we're staying
41 within the law and not breaking any, how you say, laws and
42 whatnot. And I think through this cooperative agreement,
43 if we do -- or if the National Park Service has it, that
44 issuing of the permit go right to the Mentasta Traditional
45 Council, because we're the ones that are fishing down
46 there. We should be able to issue the permits to who we
47 want to. And, how do you say, but not saying who we want
48 to, but to say also because we can educate, if it's going
49 to be open to the public and say, you know, hey, this is
50 private property, you cannot be on there or whatnot. That

00206

1 is one thing that we have been working with the National
2 Park Service on already is trespassing down there. There's
3 some people that have traplines on the private property
4 down there, and they've been investigating that. And so I
5 think that the permit should stay with the National Park
6 Service, and that it be worked out between them and the
7 Mentasta Traditional Council on issuing of the permits.

8
9 Another thing I'd like to say is I know there's a
10 lot of, how do you say it, Fish and Game that came up and
11 talked, and said what they knew, or the history of it. But
12 basically to me if they really wanted to know, they would
13 have asked Grandma Katie. She was born and raised there.
14 She's grown up there, she knows that whole area. She knows
15 every war that was fought there. She know every family
16 that's from there. She know where every family from -- has
17 -- that's moved away from there. She knows the fishing
18 that's there. She knows, how you say, everything about
19 that area. And I just wanted to say that as -- we should
20 be involved in this as much as possible, because we've
21 always, how you say, from my grandma's parents to their
22 parents, they've always been there, managing and protecting
23 the land and the fish and game. And we do have traditional
24 and customary laws that we follow. And we do have
25 documentation that talks about the fish trap in Tanada
26 Creek, that her grand -- or her father used to use. We
27 have documentation that shows historical use. What else do
28 we have?

29
30 MS. WOLF: It was midway for all the
31 villages to come.

32
33 MS. MARTIN: There's -- we have
34 documentation on that whole area, and working with the
35 National Park Service and University of Fairbanks, and
36 Cindy Answorth, we have all this documented on tape and
37 paper. And it's been just through the elders and that's
38 all the comments that I have.

39
40 MS. WOLF: My comment and concern is that
41 why all of a sudden is the State decide to put in their two
42 cents since they cut all us off from everything before, and
43 now we finally establish fishing rights there, and now they
44 want to get back in. They never worked with us before.
45 They never live around here. They never been living here
46 for two or three years to know what we're talking about.
47 They don't know that there's a steep bank at that river.
48 It's hard to get in the Batzulnetas, the road is erosion,
49 water goes through, we cannot drive through there. There's
50 about three people can be able to go in there and do some

00207

1 fishing and come in and share, 200 people they have to
2 share their fish with. And we haven't been doing that for
3 the last couple of years because of the problems that
4 occur, like we could not -- we cannot get -- that fish
5 wheel goes too fast, because the river goes too fast, and
6 my Aunt Katie say when that happen, it's a time we should
7 use net. It's easier to carry that net across where the
8 channel change where the -- all the fish probably went.
9 It's on the other side of the river from where we generally
10 fish. If we can be able to take our net across there and
11 catch them fish, maybe we will have some fish, but you
12 don't see any here. Last year my husband and I went out
13 there to fish when they only got 52. That fish wheel go
14 too fast, and it kept breaking up, they kept fixing it over
15 and over the whole summer. All we had was 52 fish from
16 there.

17
18 And we talked to my aunt about it, and she said,
19 well, find out if we can put net in there. We can take it
20 across that creek where we fish at to the Bane (ph) River,
21 and maybe we can be able to get some fish there. We
22 brought it up I don't know how many time to different
23 places, and so far I haven't even saw it in the paper or
24 nothing about it.

25
26 When are these states going to start learning to
27 work with us? Always make bad people out of us. It's just
28 frustrating with them. Thank you.

29
30 CHAIRMAN LOHSE: Any questions? Fred?

31
32 MR. ELVSAAS: Well, I understand what
33 you're saying, and I appreciate that. But this proposal
34 was made by the Native Rights Fund, Heather Kendall Miller,
35 and did she consult with the village and so forth? And so
36 at this point does the village support this proposal?

37
38 MS. MARTIN: Yes, we do, but not with the
39 modifications that the people before us brought up.

40
41 MR. ELVSAAS: Okay. Thank you. Thank you.
42 I understand now. Okay.

43
44 MS. MARTIN: 'Cause like what State Fish
45 and Game said, and then I don't know who the other person
46 was representing, but because of those modifications, it
47 puts more restriction on us, and that's what we're up here
48 trying to say is we don't want any more restrictions on us,
49 just let us fish.

50

00208

1 MR. ELVSAAS: Thank you.

2

3 CHAIRMAN LOHSE: Any other questions?

4

5 MR. F. JOHN, JR.: Yeah.

6

7 CHAIRMAN LOHSE: Fred?

8

9 MR. F. JOHN, JR.: Katherine, I don't
10 understand how they say this is not a court case, yet when
11 the State of Alaska is fighting again the Katie John case,
12 and right now if it's in litigation again, how can they say
13 they could have all these other rural people in there
14 again, because I don't understand it very well. The
15 American Native Right Fund, all they want to do is just
16 what they said right in there. They didn't put in where
17 it's open up to everybody and everything in just that
18 Batzulnetas area.

19

20 MS. MARTIN: I really don't understand the
21 legal aspect of it also, but I believe because I think the
22 reason why the State is going involved now is because I
23 believe they're going to end up losing and so they're
24 trying to get their protection in there now.

25

26 MR. F. JOHN, JR.: Thank you.

27

28 CHAIRMAN LOHSE: Katherine, I think that
29 even if the State doesn't issue permits, if I understand
30 this correct, this proposal that was put in basically until
31 there would be a limiting C&T automatically does open it up
32 to all qualified subsistence users that have a Park Service
33 resident zone community status. Even if -- I mean, even if
34 the State is not involved in it, this proposal basically
35 opens it up to, if I'm -- and Devi can correct me if I'm
36 wrong, but I think that by the analysis, it opens it up to
37 all people who have a 13.44 or resident zone status in the
38 national park, because it's in the national park. And so
39 that's what this proposal does. Because there is no
40 limiting in here. What would have to be done is there's
41 going to have to be a proposal put in in the future to
42 grant C&T, and limiting C&T on that area. Otherwise, all
43 qualifying users can use it. But you still have the
44 private property issue, and that's all qualified users do
45 not have the right to go on private property.

46

47 MS. MARTIN: When this was submitted, I
48 don't think, how you say, that was something that was
49 brought up. I think our understanding was it always going
50 to be just for us.

00209

1 CHAIRMAN LOHSE: Uh-huh.

2

3 MS. MARTIN: For Mentasta, and, you know,
4 the original C&T users of that place. I don't know if --
5 what the process is or what not, is that possible to get
6 that submitted into this proposal now, to make that
7 modification, that it be for just the C&T users of it?

8

9 CHAIRMAN LOHSE: Not now, but it can be
10 done for the next cycle. And then the other question is,
11 even if it's not in there, how many other people are going
12 to go over there because of the fact -- is the private
13 property marked? And if they have to get their permit from
14 the Park Service, the Park Service can inform them that
15 it's private property, and so maybe you'll have no problem
16 with anybody else.

17

18 MS. MARTIN: I wouldn't see having any
19 problem with anybody else. Talking with Grandma Katie,
20 there's only very few families are descendants of the
21 families that came from that area, and we know who those
22 people are. Anybody else that tried to go -- approach us
23 in the past hasn't, we never had anybody approach us in the
24 past of using that area. Mentasta, Katie John and her
25 family, Gene Henry and his family are the only ones that
26 I've known to use that area. Doris Charles in the
27 beginning of the litigation, when they started fishing did
28 use the area, but due to her age and health, she hasn't,
29 and none of her family has, how you say, come down and
30 approached or what -- or even tried to go down there and
31 fish, so as of right now, there's just Katie John and her
32 family, and Gene Henry and his family.

33

34 CHAIRMAN LOHSE: So you could possibly wait
35 and see if there was a problem, and if there ever is a
36 problem, then you could put in for a C&T at that point in
37 time. It's possible that you'll have, you know, no problem
38 there at all.

39

40 MS. MARTIN: Yeah, especially because we
41 have been working with the National Park Service, we have
42 that cooperative agreement with them. We've been working
43 on issues of trespass down there. We've been working on
44 the issue of the fishing. I mean, we just, how you say,
45 I'd like to say we have a really good working relationship
46 with the National Park Service, and I'd hate to see that
47 being I guess broken by saying that State has to issue.

48

49 The other thing though, too I that brings up, if
50 State is issuing the permits, that means we'd have to go to

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1 Tok or Glennallen then, and what we've been doing is going
2 just right to the Slana Ranger Station, which is right on
3 our way to Batzulnetas.

4

5 CHAIRMAN LOHSE: Thank you. Any other
6 questions for Katie or Lotha?

7

8 MR. ELVSAAS: Yeah, just one. The -- of
9 the permits issued through the years, and mostly it's one
10 permit, and two permits, whatever, are they all from
11 Mentasta?

12

13 MS. MARTIN: Yes.

14

15 MR. ELVSAAS: So is there any fishing
16 effort up there without permits?

17

18 MS. MARTIN: Without permits?

19

20 MR. ELVSAAS: Yeah, without.

21

22 MS. MARTIN: No.

23

24 MR. ELVSAAS: Okay. So this is the
25 fishery right here then?

26

27 MS. MARTIN: Yes.

28

29 MS. WOLF: I thought you said in the
30 past.....

31

32 (Whispered conversation)

33

34 MS. MARTIN: She has a comment on that.

35

36 MS. WOLF: About three years ago we got
37 report back from the NPS stating -- asked us if we did any
38 fishing up there, because there was a lot of fish laying
39 there or some -- it looked like somebody had been fishing
40 there, and no one was there that time of month, but there
41 was a lot of vehicle -- someone -- you have to park on the
42 side of the road to be able to get down there, and they
43 saw, I don't know, two or three other vehicle was parking
44 there at the time, but they weren't from the village, or
45 anybody that we know. But people do trespass through
46 there. And do their -- some of their fishing back there
47 that we're not aware of, but NPS noticed that and informed
48 us about it. And that's when we started working with them
49 to -- for trespassing.

50

00211

1 CHAIRMAN LOHSE: Lottie, can I ask you a
2 question?

3
4 MS. WOLF: Yes.

5
6 CHAIRMAN LOHSE: Now, can you drive right
7 to the site, or do you drive to the other side of the river
8 and have to cross the river?

9
10 MS. WOLF: No, you can drive to the site.
11 We're -- it's on this side that we do all our fishing, and
12 I don't know how many year ago, probably five years ago
13 when the channel switched to the other side of the river, I
14 mean, the whole side of the river where the fish camps at.
15 And the bank is like from up to the ceiling, and straight
16 down, the same way our -- your wall is, down to the river.

17
18 CHAIRMAN LOHSE: Uh-huh.

19
20 MS. WOLF: And it's really swift river.

21
22 CHAIRMAN LOHSE: Thank you. Let's see, we
23 have a couple more people that wish to testify. Thank you.

24
25 MS. MARTIN: Thank you.

26
27 CHAIRMAN LOHSE: And we'll move through the
28 rest of the testimony and then we'll take a break, and then
29 we'll act on this. Donald Johns.

30
31
32 MR. D. JOHNS: My name is Donald Johns, I'm
33 the AHTNA subsistence coordinator for the record. I am in
34 support of the proposal with the -- I'm with the CRNA and
35 Mentasta on their quest to open the season and oppose -- we
36 oppose the open box. They should have a season where they
37 can have some chinook I feel with the fish wheels, and also
38 to open for rod and reel in that area, because of the swift
39 water, when they can't fish on the fish wheel. And I feel
40 they should have the opportunity to get some fish somehow.
41 And I just want to go on record I support CRNA and
42 Mentasta.

43
44 CHAIRMAN LOHSE: Anybody, questions for
45 Don?

46
47 (No audible response)

48
49 CHAIRMAN LOHSE: Thank you, Don. Gloria?

50

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1 MS. STICKWAN: I support an open season.
2 In the proposal it refers Mentasta and Dot Lake, so I
3 presume they were talking about just those two villages
4 when they're referring to people who use this area, and I
5 support them using -- those two villages to use this area,
6 to have rod and reel, and to turn the permits in with an
7 open season. We don't support a live box for the reasons
8 stated yesterday. According to the report I read, this is
9 private land, Katherine Martin just said that it was Gene
10 Henry's and Katie John, and Doris Charles' land. I guess
11 -- it sounds to me like it's native allotment owned by
12 these three elders who are -- some of them have passed on.
13 They've used this area, and there is well docu -- good
14 documentation they said on this area. They should be able
15 to use dip nets and fishing rod and reel. And the National
16 Park Service should be able to administer their -- to give
17 out permits.

18
19 I just had one thing to say. Katherine Martin, I
20 respect her comments and what she said, but I really think
21 they need to do a C&T in this area. That it should be
22 done, we shouldn't wait for somebody to apply to -- because
23 there will be an interest in people fishing there, that
24 they know it's open, they will, so I think we really need
25 to get C&T studies done, so that it won't be open to other
26 communities that are listed.

27
28 And Katherine Martin's comments about her
29 grandmother having documentation and knowing about this
30 area, part of Federal management's, you know, what they
31 want to do is include traditional ecological knowledge.
32 They should be up there talking to Katie John and asking
33 her about historical use of this area. She has a lot of
34 knowledge she could share with them. If they went to her
35 before this report was written, she could have given them
36 this information.

37
38 CHAIRMAN LOHSE: Thank you.

39
40 MS. STICKWAN: But I really think C&T
41 should be done in this area before. It shouldn't be left
42 waiting. And there should be documentation showing proof
43 of this area. I say that, because in Proposals 19 and 20,
44 Dot Lake is asking for C&T on the Copper River, those four
45 villages. CRNA has made a recommendation on those C&T
46 requests. That will be brought up later. That's why I
47 really think we need to have C&T done in this area.

48
49 CHAIRMAN LOHSE: Questions for Gloria?

50

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1 (No audible response)

2

3 CHAIRMAN LOHSE: Gloria, do you think we
4 should go ahead with this proposal before we have a C&T?

5

6 MS. STICKWAN: I would like to see an
7 amendment to this proposal or else C&T just for those two
8 villages, Dot Lake.....

9

10 CHAIRMAN LOHSE: We can't amend to put a
11 C&T on this one at.....

12

13 MS. STICKWAN: Okay.

14

15 CHAIRMAN LOHSE:this point in time.
16 We can amend the proposal, it's a regulation proposal, we
17 can amend it for regulations, but we can't amend it for a
18 C&T. C&T would have to have a study on it. So.....

19

20 MS. STICKWAN: Well, I suppose for this
21 first year, if they wanted to go through with it, but then
22 next year somebody should for sure put a C&T proposal in,
23 and it needs to be done soon.

24

25 CHAIRMAN LOHSE: Thank you.

26

27 MR. DEMENTI: Ralph?

28

29 CHAIRMAN LOHSE: Go ahead.

30

31 MR. DEMENTI: I think the Park Service
32 should have already established C&T for.....

33

34 MS. STICKWAN: They do. They have resident
35 zones, but those resident zones in my opinion don't qualify
36 for people to be fishing in this area. And I don't think
37 they have C&T use of that area.

38

39 CHAIRMAN LOHSE: They don't, and you're
40 saying the resident zones are too broad?

41

42 MS. STICKWAN: Yes.

43

44 CHAIRMAN LOHSE: Any other questions?

45

46 MR. ELVSAAS: So residents only, residents
47 of what, the state?

48

49 MS. STICKWAN: Resident zones which are --
50 they're established C&T use for the park.

00214

1 MR. ELVSAAS: So for residents of the
2 creek?

3
4 MS. STICKWAN: No, this is residents -- NPS
5 could explain better than I could. They're resident zones
6 that.....

7
8 MR. ELVSAAS: Well, it seems to me.....

9
10 MS. STICKWAN:C&T use.

11
12 MR. ELVSAAS:that the residents are
13 Mentasta.

14
15 CHAIRMAN LOHSE: Devi's on like -- Devi is
16 the next person that's on the list to testify, so.....

17
18 MS. SHARP: And it was about this very
19 animal.

20
21 CHAIRMAN LOHSE: Any other questions for
22 Gloria?

23
24 MR. ELVSAAS: No.

25
26 CHAIRMAN LOHSE: She can't answer that one.
27 Thank you, Gloria. Would you please explain.....

28
29 MS. SHARP: Devi Sharp, Wrangell/St. Elias.

30
31 CHAIRMAN LOHSE:the resident zone
32 communities thing first?

33
34 MS. SHARP: Yes. The resident zone
35 communities are communities -- let me step back here a
36 minute. For the other Federal land management agencies,
37 rural residents in Alaska can hunt on Fish and Wildlife
38 land, Forest Service and BLM. The Park Service has a
39 different set of regulations, because of the difference in
40 our mandate and how we manage lands. And the who can do it
41 is identified by resident zone communities, and we have
42 currently 18 resident zone communities, and they're very
43 clearly spelled out what those communities are. They're
44 actually listed in your book on page 101.

45
46 CHAIRMAN LOHSE: Uh-huh. Yeah.

47
48 MS. SHARP: Chisana, Chistochina, Chitina,
49 Copper Center, Gakona, Gakona Junction, and so on down the
50 line. And when a community thinks that they should be able

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1 to utilize subsistence resources in the park, they can come
2 to us and request, excuse me, resident zone status. That
3 has happened in the last few years, and we have five
4 communities pending for resident zone status. And those
5 communities are the Upper Tanana communities of Tetlin,
6 Tanacross, Dot Lake, Healy Lake and.....

7
8 MS. SHARP: Northway. It seems we -- none
9 of us can get those all. So that's the gist of the
10 resident zone communities. Is that fairly clear?

11
12 CHAIRMAN LOHSE: And I think what needs to
13 be realized is if it's in the park, all of those -- unless
14 there's a separate C&T, all of those.....

15
16 MS. SHARP: Uh-huh. (Affirmative)

17
18 CHAIRMAN LOHSE:resident zone
19 communities have access to the resource that's in the park.

20
21 MS. SHARP: That's correct, and in the
22 wildlife book it will say.....

23
24 CHAIRMAN LOHSE: Right.

25
26 MS. SHARP:which communities. If you
27 look at Unit 11 or Unit 12, you'll see specifically
28 communities have C&T for each of the species.

29
30 CHAIRMAN LOHSE: And the C&T hasn't been
31 done for fish.

32
33 MS. SHARP: Right.

34
35 CHAIRMAN LOHSE: Okay. Did you have
36 something else other than what you testified before to
37 testify to?

38
39 MS. SHARP: Well, my comment was exact --
40 was about the resident zone communities, and I don't think
41 anybody realized -- I don't think Heather Kendall Miller
42 realized when she wrote up the proposal that she was
43 opening it up to all of Prince William Sound. I don't
44 think that was her intention. Jerry was sharp enough to
45 catch that that was probably a mistake and it needed to be
46 restricted to park resident zone communities, and I think,
47 and I guess it's -- it will have to be addressed in the
48 next regulatory cycle that it needs to be limited to the
49 communities that truly have C&T so that we don't encourage
50 misuse of the resource, trespassing, and access to what I

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1 think is a sacred site. So I guess it's just going to be a
2 follow up that we correct the C&T for next year and I think
3 Jerry for catching that.

4

5 CHAIRMAN LOHSE: Thank you.

6

7 MS. SHARP: That's it.

8

9 CHAIRMAN LOHSE: Faye. I know I saw her,
10 too. Did you get your moose last night?

11

12 MS. F. EWAN: No. Extend the season. I
13 joke. Hi, my name is Faye Ewan. I'm from the Native
14 Village of Kluti Kaah. I support Batzulnetas fisheries
15 proposal, but there should be, you know, more clarification
16 on the traditional fish camp in that area. There's going
17 to be a lot of impact of different areas once they open it
18 up. And the State of Alaska hasn't been a good neighbor to
19 these people here for many years. As you know, it's in the
20 histories of fisheries. And I believe that subsistence --
21 I mean the Federal Subsistence Board should help these
22 people regulate and make the regulations where it could
23 benefit the people and protect their land on their fishing
24 grounds, because this is traditional fishing grounds, and
25 it's the headwaters of the Copper River, and this is a very
26 important spawning, fishing country here that we're talking
27 about. And if we open it up, to the different areas, it's
28 going to be a great impact, and there's a lot of
29 communities in this area that sit in the park, like Slana,
30 and different areas along the road that will be having
31 access to this, because I believe this is a traditional
32 fish camp and it should be left into Katie John's family's
33 hands, and it should be protected, you know, as a
34 traditional grounds

35

36 And I believe that when they submitted this
37 proposal, that a lot of people do not really know how to
38 clarify, to submit proposals that we should -- they should
39 submit a C&T for their uses here to clarify this proposal
40 here. And I think that if we recognize this here, maybe
41 the other communities, if they want to be included in here,
42 they can submit their own proposals. Thanks.

43

44 CHAIRMAN LOHSE: Any other questions for
45 Faye?

46

47 (No audible response)

48

49 CHAIRMAN LOHSE: Thank you, Faye.

50

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1 MS. F. EWAN: Uh-huh.

2

3 CHAIRMAN LOHSE: Sue? No? Okay. That
4 takes care of all of our public comment. Did I miss
5 anybody that had put a blue slip in?

6

7 UNIDENTIFIED VOICE: (Indiscernible - away
8 from microphone)

9

10 CHAIRMAN LOHSE: Okay. Thank you. Do you
11 want to go take a break, or shall we go on to deliberation
12 real quick?

13

14 MR. F. JOHN, JR.: Take a break.

15

16 CHAIRMAN LOHSE: Take a break. Okay. Ten
17 minutes.

18

19 (Off record)

20

21 (On record)

22

23 CHAIRMAN LOHSE: I'll call this meeting
24 back into session. We've heard all the testimony on
25 Proposal 17. It's the wish of the council how you would
26 like to make a motion, put it on the floor so we can
27 discuss it. You can put it on the floor as it was written,
28 you can put it on the floor as it's been modified, or you
29 can put it on the floor with modification of your own. Do
30 I hear a motion?

31

32 MR. F. JOHN, JR.: I'd like to make a
33 motion we put the Proposal 17 on the floor as written.

34

35 CHAIRMAN LOHSE: As written?

36

37 MR. F. JOHN, JR.: Uh-huh. (Affirmative)

38

39 CHAIRMAN LOHSE: Do I hear a second?

40

41 MR. DEMENTI: Second.

42

43 CHAIRMAN LOHSE: It's been moved and
44 seconded to put the Proposal 17 on the floor as written.
45 Discussion, comments? Fred, as the maker of the motion, do
46 you want to say anything to the motion?

47

48 MR. F. JOHN, JR.: Well, the original --
49 what I like about this is that it probably open up to the
50 resident zone community, but if we have the National Park

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1 Service, which we work pretty well with, issue a permit to
2 us, I take it there will be more protection there for, you
3 know, that a lot of people know that -- they would let a
4 lot of people know that -- all the people know that it's
5 private land, and so far this kind of like protect us
6 against -- I mean in future court cases, because the State
7 has already, you know, reopened this case again, the Katie
8 John case, and we -- what we need is some protection there.

9
10 And the live box, I still don't know what a live
11 box is to tell you the truth, but that's not C&T, or -- and
12 it's just an extra burden on us like Katherine said.

13
14 And for some of those reason, I think the original
15 will do. Mostly it's a protection for Batzulnetas fishing.
16 That's all for right now.

17
18 CHAIRMAN LOHSE: Thank you. Fred?

19
20 MR. ELVSAAS: No, I support the motion. I
21 hope that the next step would be to apply for C&T, and I
22 think that would be a good way to do it.

23
24 CHAIRMAN LOHSE: Gilbert?

25
26 MR. DEMENTI: I'm with both the Freds here.

27
28 CHAIRMAN LOHSE: You're with both the
29 Freds?

30
31 MR. DEMENTI: Yeah, both Freds.

32
33 CHAIRMAN LOHSE: Well, the only problem
34 that I see with the original motion as written is it took
35 away that seasonal limit of 1,000 and didn't put in any
36 kind of a limit at all. And that seasonal limit of 1,000
37 seems to have been adequate since it's never been exceeded.
38 I guess I'm just a little afraid to open up anything
39 without have some kind of a -- something to keep it from
40 getting out of control if somebody else figures out a way
41 to make use of it. And from that standpoint, the only
42 thing that I would see that I would like to see added is
43 that the original 1,000 fish limit be retained or that the
44 current subsistence -- Glennallen subsistence, Glennallen
45 District subsistence limit be retained simply because they
46 both seem adequate, yet they would prevent -- they would
47 prevent somebody else coming and taking advantage of it.
48 But I can't make a motion to that effect. And so if none
49 of the council wishes to do so, we'll have to leave the
50 motion stand as it's on the table.

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1 MR. ELVSAAS: Mr. Chairman?

2

3 CHAIRMAN LOHSE: Yeah?

4

5 MR. ELVSAAS: In the original proposal, I
6 don't see any change of -- that must be in regulation, and
7 we're not changing regulation. It's not in the proposal.

8

9 CHAIRMAN LOHSE: Oh, that was part of the
10 -- there is no regulation on this. That was part of the --
11 it's not a court-ordered injunction, it's a court-ordered
12 fishery, right?

13

14 MR. ELVSAAS: It doesn't change the limit.

15

16 CHAIRMAN LOHSE: But it doesn't -- so does
17 -- in passing this -- I'll ask some advice. Tom, Jerry,
18 Terry, one or the other of you, if you can answer something
19 for my -- if we pass this proposed regulation as it's
20 written, does that have any effect on the current bag limit
21 that's in place?

22

23 MR. BERG: The current bag limit that's in
24 place is a result of the court order, and so there aren't
25 -- there currently -- there would be no bag limit said as
26 proposed by the proponent, so it does seem appropriate to
27 me to set some sort of a harvest limit, whether it be the
28 1,000 fish or the Glennallen Subdistrict harvest limits,
29 because the only harvest limits that we're relying on at
30 this point are from the court-ordered fishery.

31

32 CHAIRMAN LOHSE: And that court-ordered --
33 once this regulation is put in place, that court order will
34 no longer take affect?

35

36 MR. BERG: That's correct.

37

38 CHAIRMAN LOHSE: Just like that court order
39 doesn't take effect in barring resident zone communities
40 once this regulation's put in place?

41

42 MR. BERG: Right.

43

44 CHAIRMAN LOHSE: So.....

45

46 MR. DEMENTI: Jerry, but if we pass this
47 the way it is, at a later date you still could put a limit,
48 right?

49

50 CHAIRMAN LOHSE: We could do that if

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1 there's a problem?

2

3 MR. BERG: Yeah, there need -- there would
4 need to be a limit set or at least recommended for the
5 Federal Board to consider at their meeting in December, and
6 I think it would be helpful if the council would make some
7 sort of a suggested harvest limit that they feel is
8 appropriate.

9

10 CHAIRMAN LOHSE: Fred, go ahead.

11

12 MR. F. JOHN, JR.: Why would this cease the
13 court order ruling when the court's still in session on
14 this whole deal here?

15

16 MR. BERG: Well, my understanding is that
17 the court orders have been issued on a year-by-year basis,
18 and my -- I believe that they expire after the season, and
19 that there's been a recurring court order put in place.....

20

21 MR. F. JOHN, JR.: Uh-huh.

22

23 MR. BERG:for the fishery each year
24 since 1987.

25

26

27 CHAIRMAN LOHSE: And so once the regulation
28 would be put in place, there would be no need of a court
29 order.

30

31 MR. BERG: That's right. So hopefully by
32 taking action here, placing this into regulation, then
33 there will be no need for a court-ordered fishery.

34

35 CHAIRMAN LOHSE: Tom, do you have something
36 to add on it?

37

38 MR. BOYD: Just a point. I'm not an
39 attorney on this, but I would think Mr. John is on to
40 something. I think the court would have to make that
41 determination whether there would no longer need to be a
42 court-imposed fishery, and obviously putting this
43 regulation in place takes us down the road of, you know, of
44 a regulated fishery under the auspices of the Federal
45 program, but that -- I don't know the legal technical
46 terms, but that case will not be -- will not go away until
47 sort of all parties agrees and the court's satisfied that
48 we're on the right track with allowing this fishery.

49

50 CHAIRMAN LOHSE: So the court could still

00221

1 impose a 1,000 fish limit for next year, if it did?

2

3 MR. BOYD: Yeah, but -- you know, the court
4 may not be satisfied with where we end up, in which case
5 they would impose whatever they thought was appropriate.
6 We know what they've thought in the past, we don't know
7 what they would think in the future, but I think it's a
8 pretty good guess that they could possibly stay with where
9 they are. I mean, I don't know what the outcome would be,
10 but what we're trying to do here is get this into
11 regulation so there's no longer a need for court oversight
12 in this case.

13

14 MR. F. JOHN, JR.: Tom, what the letter
15 says from Heather Kendall is that it just try to enforce
16 the court order about permit system, you know.....

17

18 MR. BOYD: Uh-huh.

19

20 MR. F. JOHN, JR.:what it is. And
21 that's what I got from the letter.

22

23 MR. BOYD: Yeah.

24

25 MR. F. JOHN, JR.: And forcing National
26 Park to issue a permit instead of State court. And she's
27 quoted some, you know.....

28

29 MR. BOYD: Right.

30

31 MR. F. JOHN, JR.:what Judge Holland
32 said and everything, so, you know (indiscernible) it.

33

34 CHAIRMAN LOHSE: Fred?

35

36 MR. ELVSAAS: Well, the court order says
37 1,000 fish. If we was to make an amendment to reinforce
38 that, would the people of Mentasta have a problem with
39 that?

40

41 MR. F. JOHN, JR.: I don't think we need to
42 second -- I don't think we need to make an amendment. I
43 think we -- I guess I'd.....

44

45 MR. ELVSAAS: Just let it go as it is?

46

47 MR. F. JOHN, JR.:let -- the court's
48 still on there.

49

50 MR. ELVSAAS: Okay, I'll take your

00222

1 assurance.

2

3 CHAIRMAN LOHSE: Hearing no amendment, the
4 motion stands as written. Is there any further discussion
5 on the motion?

6

7 MR. ELVSAAS: I have none.

8

9 CHAIRMAN LOHSE: Hearing none, the
10 question's in order.

11

12 MR. ELVSAAS: Question.

13

14 CHAIRMAN LOHSE: The question's been
15 called. All in favor of the motion to pass Proposal 17 as
16 written signify by saying aye?

17

18 IN UNISON: Aye.

19

20 CHAIRMAN LOHSE: All opposed by signify by
21 saying nay?

22

23 (No opposing responses)

24

25 CHAIRMAN LOHSE: Motion carries. I also
26 think that since we're going to have to come back to C&T on
27 this one, that if there's a problem with limit, we can just
28 come back on that, too. Okay. Nineteen and 20. George?

29

30 MR. SHERROD: Thank you, Mr. Chair.
31 Proposals 19 and 20 both request adding some upper Copper
32 River -- excuse me, upper Tanana residents to the existing
33 C&T for the Glennallen Subdistrict, and we've sort of all
34 reached a conclusion that there's some problems with the
35 existing C&T for the Glennallen Subdistrict, but I think
36 the issue here at hand is adding these communities, whether
37 they deserve to come in and not get back into some of the
38 problems with the existing C&T which hopefully can be
39 changed next year.

40

41 Proposal 19 would add -- or both proposals would
42 add the communities of Dot Lake, Northway, Tanacross, and
43 Tetlin. Proposal 19 also requests that Tok be added, and
44 that those individual residing along the Alaska Highway
45 from the Canadian Border to Dot Lake, and along the Tok
46 cut-off from Tok to Mentasta Pass be added. Proposal 20
47 requests that Healy Lake be added to -- in addition to the
48 four communities addressed by both of them. Proposal 19
49 was from Douglas Horsken from Tok, Proposal 20 is from the
50 Dot Lake Village Council.

00223

1 In addition to these communities, in the course of
2 doing the staff analysis, it was decided to also look at
3 the individuals that live along the Nabesna Road. Portions
4 of the Nabesna Road are actually within the upper Tanana
5 drainage, and are currently excluded. However, the Nabesna
6 Road is probably geographically and culturally, socially
7 closer tied to the Copper River area than it is to the
8 upper Tanana.

9
10 It's important to note in looking at the customary
11 and traditional determinations that all of the upper Tanana
12 River communities addressed in this proposal have
13 previously been granted customarily -- customary and
14 traditional use determinations for multiple resources in
15 the Copper River Valley, including salmon. In fact, while
16 not -- what do I want to say? Prior to the court decision,
17 I believe it was the Madison case, under State regulation
18 upper Tanana River villages were recognized as having
19 customarily and traditionally used Copper River salmon in
20 the area. Fish provide a significant portion of harvested
21 resources for rural communities, and for the upper river --
22 upper Tanana River communities, the Copper River is the
23 closest source of salmon as salmon in any great number do
24 not occur north of -- or upriver from Delta Junction.
25 Since the 1940s a system of highways has linked the upper
26 Tanana communities to the Copper River area, and it's safe
27 to assume that the Copper River area is within reasonable
28 distance from these communities for harvesting fish and
29 other resources. All of the communities addressed here
30 have been documented in harvest ticket as taking salmon in
31 the Copper River, and the Department of Fish and Game,
32 Office of Subsistence Management, conducted a study in the
33 mid 40s that looked specifically at the use of Copper River
34 salmon by upper Tanana River communities.

35
36 If you turn to page 130, and page 130 is the
37 primary conclusion, and I'll read that in a minute, I had
38 this one modification in the course of doing some edits,
39 Healy Lake somehow disappeared from the list of communities
40 that it will be recommended as having a positive C&T. This
41 recommended or regulatory language combines all the
42 communities addressed in both proposals and the individual
43 households that live along the Nabesna Road in that portion
44 of the road that is actually within the upper Tanana River
45 drainage. And I'm going to read the proposed regulatory
46 language that is the result of this analysis.

47
48 Prince William Sound area, Glennallen Subdistrict
49 of the upper Copper River district, of the waters of the
50 Copper River between ADF&G regulatory markers located near

00224

1 the mouth of Tanada Creek and approximately one-half mile
2 downstream from the mouth of Tanada Creek, between ADF&G
3 regulatory markers identifying the open waters of the
4 creek, salmon-dash-residents of Prince William Sound area,
5 that is the existing determining, then here are the
6 additional communities, Dot Lake, Healy Lake, Northway,
7 Tanacross, Tetlin, Tok, and those individuals that live
8 along the Alaska Highway from the Canadian border to Dot
9 Lake, and along Tok Cut-off from Tok to Mentasta Pass, and
10 along the Nabesna Road. Just for simplicity I put the
11 entire Nabesna Road in there rather than just the Unit 12
12 drainage or Nabesna Road, mile so and so to so and so.

13

14 Justification for this is that the data
15 demonstrates that these individuals have had a past history
16 of harvesting resources in this area, including salmon.
17 And that's the end. I'll entertain questions.

18

19 CHAIRMAN LOHSE: Yeah, George, this -- and
20 the waters of the Copper River between ADF&G regulatory
21 markers located near the mouth of Tanada Creek, and
22 approximately one-half mile downstream from that mouth in
23 Tanada Creek between ADF&G regulatory markers, basically
24 that's the area we were just working on, right?

25

26 MR. SHERROD: Yes, it would be the
27 Glennallen Subdistrict and that area, so it would be both
28 the Glennallen Subdistrict.....

29

30 CHAIRMAN LOHSE: Does that area have to be
31 included?

32

33

34 MR. SHERROD: That area was in Proposal 19.

35

36 CHAIRMAN LOHSE: It was in Proposal 19?

37

38 MR. SHERROD: It was in Proposal 19. I
39 mean, it's the discretion of this body, considering the
40 actions that you've just dealt with on this last proposal
41 and the issues that have come up, and the fact that you are
42 going to reconsider C&T for that specific area later on,
43 that you might -- you have the option of striking that, and
44 just dealing with the Glennallen Subdistrict.

45

46 CHAIRMAN LOHSE: Yeah, we did receive
47 testimony that residents of Dot, that some of the residents
48 of Dot Lake have property at the mouth of Tanada Creek.

49

50 MR. SHERROD: Right.

00225

1 CHAIRMAN LOHSE: But it's not required that
2 that be left in there, is it?

3

4 MR. SHERROD: No, and, I mean.....

5

6 CHAIRMAN LOHSE: They.....

7

8 MR. SHERROD: Given what I've heard today,
9 and since I drafted this, I would be more than willing to
10 support striking this and just going at this point with the
11 Glennallen Subdistrict.

12

13 CHAIRMAN LOHSE: Just go with the
14 Glennallen Subdistrict.

15

16 MR. SHERROD: Of course, it's easier for me
17 to do that if you guys make that cut.

18

19 CHAIRMAN LOHSE: Uh-huh. Okay. But as --
20 for those communities, basically there is sufficient
21 evidence to show that they have all used in past and are
22 using the Glennallen Subdistrict of the Copper River?

23

24 MR. SHERROD: Well, until they were
25 excluded. After the Madison case, they were basically
26 dropped from the customary and traditional use
27 determination, so then they fell on par with nonsubsistence
28 or all rural -- or I should say all Alaska residents, but,
29 yes, since then through personal use information, they've
30 used the area. Prior that it was documented that they had
31 used it for subsistence fishing.

32

33 CHAIRMAN LOHSE: Any questions for George?
34 Thank you. ADF&G. Terry?

35

36 MR. HAYNES: Thank you, Mr. Chairman. The
37 Department's comments on this proposal are on page 133 of
38 your book, and we basically, you know -- in our written
39 comments, we deferred detailed comments until we had an
40 opportunity to review the analysis that George has just
41 summarized. And at this point we support the staff
42 recommendation for action on this proposal. And if there
43 are additional modifications made, of course, we'll revisit
44 those and our comments would be subject to revision before
45 the board meeting.

46

47 CHAIRMAN LOHSE: I notice you had the same
48 reservations I did though, or the Department had the same
49 reservations as I did about including the Tanada Creek
50 area.

00226

1 MR. HAYNES: Yes, it may well be a good
2 idea to look at that separately, and I think if there's
3 sufficient explanation provided as to why you're doing
4 that, then the proponent of the proposal 19 would have an
5 opportunity to react to that and decide if he wanted.....

6
7 CHAIRMAN LOHSE: Yeah.

8
9 MR. HAYNES:to resubmit.

10
11 CHAIRMAN LOHSE: Yeah, I think we shouldn't
12 add anything to that area until we do a C&T on it, and that
13 would be my thinking of it. So -- okay. So basically
14 otherwise -- as far as the communities involved, Fish and
15 Game felt the same as the staff and had the same
16 reservations as I did on the Batzulnetas area.

17
18 MR. HAYNES: Yes, Mr. Chairman I might add
19 that a lot of the information for the upper Tanana
20 communities originally was gathered in a study I was the
21 lead author on back in 1984, and what -- fishing by many of
22 the upper Tanana communities in the Copper Basin is a
23 product of their kinship ties with people down here, at
24 least among the native people, whereas, you know, the non
25 native folks would fish in different areas. But the native
26 people would come down and fish and in return their
27 relatives from the Copper Basin might come up to the upper
28 Tanana region to obtain resources that aren't as readily
29 available down here, so it's very much in keeping with the
30 customary practices.

31
32 CHAIRMAN LOHSE: Thank you, Terry. Any
33 questions for Terry or George? Fred? Gilbert?

34
35 MR. DEMENTI: No.

36
37 CHAIRMAN LOHSE: Looks like you guys are
38 off the hook. Written public comments?

39
40 MS. WILKINSON: Sir, there are none.

41
42 CHAIRMAN LOHSE: There are none. Okay.
43 Then we have public comments on this. Gloria?

44
45 MS. STICKWAN: I just want to state last
46 year when they C&T for these upper Tanana villages, Healy
47 Lake is mentioned in Proposal 20. They -- their C&T was
48 based on intermarriages along with people related to Dot
49 Lake, Northway, Mentasta, and it was -- they were grant C&T
50 based on their intermarriages, being related to them. They

00227

1 had no documentation, but yet they were -- we accepted
2 their C&T. They even admitted themselves they didn't have
3 C&T documentation, but yet we accepted them. So that's one
4 community that's listed in here that does not have
5 documentation.

6

7 We talked about this -- these proposals in our
8 area, and we don't mind the villages of Dot Lake,
9 Tanacross, Tetlin, Northway to have C&T. It was
10 recommended that they'd have C&T north of Slana River. It
11 was agreed upon by the villages of the Ahtna people. We
12 had a meeting on September 15 -- or last Friday. And it
13 was agreed that C&T be granted north of the Slana River.
14 That's the area that we said they -- we recommended.

15

16 CHAIRMAN LOHSE: Now, is there a fishing
17 district north of Slana River?

18

19 MS. STICKWAN: That's a marking point, a
20 way of marking it. That's what we're saying, that.....

21

22 CHAIRMAN LOHSE: I just want -- I
23 think.....

24

25 MS. STICKWAN:where it comes to.....

26

27 CHAIRMAN LOHSE:(indiscernible -
28 simultaneous speech)

29

30 MS. STICKWAN:confluence of the Slana
31 River north of Copper River. I.....

32

33 CHAIRMAN LOHSE: I just was wondering, is
34 there currently a fishing district even open in that area?

35

36 UNIDENTIFIED VOICE: No.

37

38 MS. STICKWAN: You know where the Slana
39 River drains into the Copper River, I'm saying north of
40 that.

41

42 CHAIRMAN LOHSE: Uh-huh.

43

44 MS. STICKWAN: That's the only way I know
45 how to describe it. Five miles down.

46

47 CHAIRMAN LOHSE: Uh-huh. And then not in
48 the Glennallen Subdistrict?

49

50 MS. STICKWAN: That was the recommendation

00228

1 by the -- that was agreed on by the villages.

2

3 CHAIRMAN LOHSE: Any questions for Gloria?

4

5 (No audible response)

6

7 CHAIRMAN LOHSE: No questions. Don.

8

9 MR. D. JOHNS: My name is Donald Johns.

10 I'm the Ahtna subsistence coordinator. And I support what

11 Gloria was talking about. I believe there should be more

12 C&T studies within that area that are on the -- on there,

13 and mainly Tok and Alaska Highway. I don't really know

14 about that area too much. I think it should be taken into

15 consideration, that they need more C&T study. That's all I

16 have.

17

18 CHAIRMAN LOHSE: Any questions for Don?

19

20 (No audible response)

21

22 CHAIRMAN LOHSE: Thank you, Don. Mary Beth

23 Gardner? I don't see her here. Frank Entsminger? I don't

24 see him here. That's.....

25

26 MS. WILKINSON: (indiscernible - away from
27 microphone) have something.

28

29 CHAIRMAN LOHSE: Oh, and, Sue, did you -- I

30 think you were -- you have 20 down, and I didn't know

31 whether -- okay. What we have in front of us is just a

32 list of subsistence fishing permits that were issued for

33 the -- if I recognize right, is this the Glennallen

34 District?

35

36 MS. WILKINSON: Right. Mr. Entsminger gave
37 me that yesterday, and wanted it given to you before he

38 gave his testimony.

39

40 CHAIRMAN LOHSE: By residents of Tok, Dot
41 Lake. And that's for this -- if I recognize right, that's
42 for this year, right?

43

44 MS. WILKINSON: Yes.

45

46 CHAIRMAN LOHSE: Yes, that was this year's
47 permits. Okay. That takes care of our discussion. We
48 have to have a motion. I mean, that takes care of our
49 staff analysis and -- oops, Tom wishes to say something.

50

00229

1 MR. BOYD: Mr. Chair, as I listened to this
2 proposal, I had a thought that might address the problem
3 that we encountered in the previous proposal dealing with
4 Tanada Creek and the Batzulnetas fishery. And I think it's
5 totally within our legal framework to make an adjustment to
6 this proposal before you. I mean, I think it opens the
7 door for us to take a hard look at perhaps distinguishing
8 the users of the Tanada Creek fishery. We have a proposal
9 before us basically for C&T for the Glennallen Subdistrict
10 of the upper Copper River district, and the waters of the
11 Copper River between ADF&G regulatory markers located near
12 the mouth of Tanada Creek, and approximately one-half mile
13 downstream of that mouth and in Tanada Creek. And it's all
14 of the residents basically, the four communities in the
15 upper Tanana area plus the Prince William Sound area. And
16 I think based on the testimony that we've heard in the
17 previous proposal, and some of the documentation it's
18 become clear to me that the fishery at Batzulnetas was
19 refined, the users were defined by the testimony in what I
20 heard, and I may be wrong on this, I probably need some
21 clarification, by certain residents of Dot Lake and
22 Mentasta Lake. And it might be possible to make an
23 adjustment to this proposal by the board, by the council
24 here, if you would -- if you choose to do so, recommend
25 maybe refining C&T to that area of the upper Copper River
26 district defined by Tanada Creek to those communities, if
27 I'm making myself clear.

28
29 CHAIRMAN LOHSE: Yeah, I think I
30 understand.

31
32 MR. BOYD: And I think it's appropriate for
33 the council to do that, and this may be a way of resolving
34 this C&T problem that we encountered earlier. I'd
35 certainly -- you know, I think the recommendation could
36 come forth from the council, and I would certainly want to
37 run it through a legal review when I get back, but I think
38 we have an opportunity before us to take a hard look at
39 this and maybe refine the C&T for the Batzulnetas fishery
40 right here with this proposal. If it makes sense to you.

41
42 CHAIRMAN LOHSE: Yeah, it makes sense to
43 me. I'm just trying to think of -- do we have to put it on
44 the table and then modify it, or can we modify it before we
45 put on the table?

46
47 MR. BOYD: I think you could make one
48 motion to what you want basically, and I could provide you
49 some suggested language if that's your desire.

50

00230

1 CHAIRMAN LOHSE: What do you think? Let's
2 take a break to do some -- give us time to do some thinking
3 on how to write that up.

4
5 MR. BOYD: Okay.

6
7 (Off record)

8
9 (On record)

10
11 CHAIRMAN LOHSE: Okay, we're back in
12 session. Okay. Tom, if you've got some suggestions?

13
14 MR. BOYD: Well, I'm going to give you my
15 suggestion, and then I think Mr. John had some further
16 thoughts when we were discussing it. And all I'm offering
17 you is my thoughts, and I'm not trying to direct you or
18 steer you in any one direction, but listening to the former
19 testimony in the previous proposal, I was thinking if you
20 wanted to make an adjustment to this proposal, you could do
21 that. It's totally appropriate.

22
23 And let me just throw out my thoughts. I would --
24 to accommodate some of the concerns that I heard earlier
25 about Tanada Creek, I would word the proposed regulation as
26 this: Glennallen Subdistrict of the upper Copper River
27 district, excluding Tanada Creek. Actually I wouldn't say
28 -- let me just start again. Glennallen Subdistrict of the
29 upper Copper River District, salmon, residents of Prince
30 William Sound and residents of Dot Lake, Northway,
31 Tanacross, Tetlin, Tok, and those individuals that live
32 along the Alaska Highway from the Alaska/Canadian border to
33 Dot Lake, along the Tok Cutoff from Tok to Mentasta Pass
34 and along the Nabesna Road. I would also suggest you think
35 about including Healy Lake in that list. Then I would go
36 on and say, Tanada Creek, that area around Tanada Creek,
37 the markers and upstream in Tanada Creek, residents of Dot
38 Lake and Mentasta Lake.

39
40 Now, I understand that Mr. John probably has some
41 concerns about some of this language, and I'll let him make
42 whatever clarifications he would like to with regard to
43 that.

44
45 CHAIRMAN LOHSE: Okay. Well, before we can
46 go any further as a council, we need a motion on the table
47 either to take one of these proposals as written, to take
48 one of the proposals as modified, or to modify a proposal
49 and set it on the table. And then after in the discussion,
50 changes can be made to it in any way that you'd like to

00231

1 make changes to it. But before we can go any further, we
2 need a motion on the table.

3

4 MR. F. JOHN, JR.: Do you want to make a
5 motion? I think.....

6

7 (Whispered conversation)

8

9 MR. F. JOHN, JR.: Okay. I don't have it
10 written down, but I want to make the motion. I'd like to
11 -- I'll make a motion that we, the Glennallen Subdistrict
12 of the Copper River District and the water of the Copper
13 River, except Tanada Creek. This one here.

14

15 CHAIRMAN LOHSE: Okay. That's the top.

16

17 MR. F. JOHN, JR.: Except.....

18

19 CHAIRMAN LOHSE: Except the waters of the
20 Copper River between ADF&G regulatory markers located.....

21

22 MR. F. JOHN, JR.: Uh-huh. (Affirmative)

23

24 CHAIRMAN LOHSE:near the mouth of
25 Tanada Creek, and approximately one-half mile downstream
26 from that mouth and in Tanada Creek.

27

28 MR. F. JOHN, JR.: Okay. Salmon -
29 Residents of Dot Lake, Northway, Tanacross, Tetlin, Tok,
30 and the Tok -- and from the Tok cutoff from Mentasta to --
31 from Tok to Mentasta Pass.

32

33 CHAIRMAN LOHSE: Are you including the
34 residents of Prince William Sound that are already in
35 there?

36

37 MR. F. JOHN, JR.: Yeah.

38

39 CHAIRMAN LOHSE: Okay.

40

41 MR. F. JOHN, JR.: And the area around
42 Tanada Creek for Dot Lake and Mentasta, so that would be --
43 I think it could be written up better than that, but I
44 think.....

45

46 CHAIRMAN LOHSE: Sure.

47

48 MR. F. JOHN, JR.:you know what I
49 mean.

50

00232

1 CHAIRMAN LOHSE: Yeah. Do I hear a second?
2 Let me give it back to you the way I think you said it.

3
4 MR. ELVSAAS: Did you include Healy Lake?

5
6 MR. F. JOHN: No.

7
8 CHAIRMAN LOHSE: Did you?

9
10 MR. F. JOHN: No.

11
12 CHAIRMAN LOHSE: On purpose?

13
14 MR. F. JOHN: On purpose.

15
16 CHAIRMAN LOHSE: On purpose, okay. So what
17 you said is the Glennallen District of the Upper Copper
18 River District except for the waters of the Copper River
19 between ADF&G regulatory markers located near the mouth of
20 Tanada Creek and approximately one-half mile downstream
21 from that mouth and in Tanada Creek between ADF&G
22 regulatory markers identifying the open waters of the
23 creek.

24
25 Salmon - residents of Prince William Sound,
26 residents of Dot Lake, Northway, Tanacross, Tetlin, Tok and
27 those individuals that live along the Tok Cutoff from Tok
28 to Mentasta Pass. Was that correct?

29
30 MR. F. JOHN: Uh-huh. (Affirmative)

31
32 CHAIRMAN LOHSE: In the waters of the
33 Copper River between ADF&G regulatory markers located near
34 the mouth of the Tanada Creek and approximately one-half
35 mile downstream from that mouth and in Tanada Creek between
36 regulatory markers identifying the open waters of the
37 creek.

38
39 Salmon - residents of Dot Lake and Mentasta.

40
41 MR. F. JOHN: Right.

42
43 CHAIRMAN LOHSE: Did I summarize the
44 motion.....

45
46 MR. F. JOHN: Yeah.

47
48 CHAIRMAN LOHSE: Do I hear a second?

49
50 MR. ELVSAAS: Second.

00233

1 CHAIRMAN LOHSE: It's been moved and
2 seconded. Now we can put it on the table. Discussions,
3 reasons why? Fred, you want to start?

4
5 MR. ELVSAAS: Yeah, I was curious as to why
6 Healy Lake was not included? I don't have any background
7 on any of this and I don't know, in looking at the map, how
8 are they connected to the highway, do they have a road into
9 -- off the highway?

10
11 CHAIRMAN LOHSE: To Healy Lake, you mean?

12
13 MR. ELVSAAS: Yeah. There must be.

14
15 CHAIRMAN LOHSE: I'm not familiar with that
16 area myself.

17
18 MR. ELVSAAS: Yeah.

19
20 CHAIRMAN LOHSE: Do they have a road for
21 Healy Lake to the highway or do they.....

22
23 MR. F. JOHN: No, they don't, they don't
24 have a road.

25
26 CHAIRMAN LOHSE: They don't have a road.
27 So they fly, mostly? Snowmachine?

28
29 George.

30
31 MR. SHERROD: There's an ice road in the
32 wintertime and in the summer they take boats to a landing
33 where they have (indiscernible - away from microphone)

34
35 CHAIRMAN LOHSE: Oh, okay. So it's by boat
36 in the summertime and ice road in the wintertime.

37
38 MR. ELVSAAS: Okay.

39
40 CHAIRMAN LOHSE: Okay. Does that answer
41 some of your questions on that, Fred?

42
43 MR. ELVSAAS: Yes. You know, in reading
44 the material here it seems to me that a lot of people have
45 used the fishery but, in turn, there's a lot of people that
46 haven't, so I really don't know. So as you're the man of
47 the area, I have to trust your judgment.

48
49 MR. F. JOHN: I could get killed early.

50

00234

1 (Laughter)

2

3 CHAIRMAN LOHSE: Okay.

4

5 MR. F. JOHN: Dot Lake -- I mean.....

6

7 CHAIRMAN LOHSE: Fred, you want to explain
8 your thinking on it?

9

10 MR. F. JOHN: You know, I see Dot Lake
11 there, they're very close to us and Tanacross and Northway
12 they're from where we are, really. But way up there in --
13 I think they should put in their own proposal, you know,
14 because I don't really know about their fishing, that's
15 about all.

16

17 CHAIRMAN LOHSE: Gilbert.

18

19 MR. DEMENTI: I think Healy Lake is not in
20 our district either.

21

22 MR. F. JOHN, JR.: Yeah. What we re doing
23 right here is -- I think right there -- we re talking about
24 another district and it s pretty hard, you know, for me to
25 say. Yeah, except those people down there, we fight to be
26 -- we want to be in a resident zoned part of the national
27 park and it s just these villages here. And Tok already is
28 in a resident zone.

29

30 CHAIRMAN LOHSE: These aren t all in our
31 district either, are they?

32

33 MR. F. JOHN, JR.: No, none of them are in
34 our district.

35

36 CHAIRMAN LOHSE: None of them are in our
37 district.

38

39 MR. F. JOHN, JR.: Uh-huh. (Affirmative)

40

41 CHAIRMAN LOHSE: Okay. But these, there s
42 kinship ties with most of them?

43

44 MR. F. JOHN, JR.: Yeah. With Mentasta,
45 yeah.

46

47 CHAIRMAN LOHSE: Okay. Any other
48 discussion? Gilbert, have you got something to say on it?

49

50 MR. DEMENTI: Not right now. I m going

00235

1 with.....

2

3

CHAIRMAN LOHSE: Well, if we pass this the way we just read it, then there will be no need to put a study for customary traditional for Dot Lake and Mentasta. And basically what we're basing that on is testimony that we've heard today. Especially the testimony from Katy that her grandmother's got available. That the Tanada Creek area hasn't been used by anybody except those three families and that it's private property. So I think that's a legitimate decision to give them C&T for that area there and eliminate, you know, the problem that we were worried about, which was an expanding fishery. So I don't see any problem there.

15

16 With that, I don't have anything else to add. If
17 there is no other discussion by the Council, then the
18 question is in order. If you've got something else to add
19 or clarification as to why the original proposal didn't
20 call for those that live along the Alaska Highway. Or did
21 it?

22

23 MR. SHERROD: It did.

24

25 CHAIRMAN LOHSE: Huh?

26

27 MR. DEMENTI: Nineteen did.

28

29 CHAIRMAN LOHSE: Nineteen did? So we
30 actually should have a reason as to why we felt like that
31 should be dropped. Is it basically they are not part of
32 the communities or.....

33

34 MR. F. JOHN, JR.: They're not part of the
35 communities, no.

36

37 CHAIRMAN LOHSE: Now, this doesn't deny
38 them access to the -- correct me if I'm wrong. Terry,
39 maybe you can answer this. Not having a C&T doesn't deny
40 them access to the Glennallen Subdistrict because currently
41 the Glennallen Subdistrict is open to all residents of the
42 State of Alaska, isn't it?

43

44 MR. HAYNES: Mr. Chairman, yes, that is the
45 case. Currently residents, all of these residents could
46 fish under State regulations. There could come a time
47 where State regulations may not provide those
48 opportunities.

49

50 CHAIRMAN LOHSE: May not provide for it

00236

1 but at this point and at that point in time they could
2 actually submit for a C&T themselves at that point in time,
3 too. But it s not denying them access to the Chitina
4 Subdistrict either, is it?

5

6 MR. HAYNES: Not at this time, no Mr.
7 Chairman.

8

9 CHAIRMAN LOHSE: No.

10

11 MR. HAYNES: Mr. Chairman, I do have a -- I
12 guess it would be a logistical concern about how one would
13 not include residents along the Alaska Highway from the
14 Alaska-Canadian border to Dot Lake. How you would separate
15 those residents from community residents. I mean, there
16 are a lot of people that live along the highway, many of
17 which are part of the communities. Some of which may be
18 far removed from a community but I don t know operationally
19 how you would sort those people out.

20

21 CHAIRMAN LOHSE: That s the same concern I
22 expressed yesterday because I -- you know, yesterday with
23 the proposal that was passed giving it to the eight
24 villages in the Copper River Basin for the Chitina
25 Subdistrict. My understanding is that they have to be
26 within the geographical boundaries of those villages. And
27 in that case, I don t even know if some of these
28 communities have geographical boundaries. But that to me
29 is a hard too, about not putting the interconnecting roads
30 in because not everybody lives within the geographical
31 boundary of the community. And I don t know how we re
32 going to handle that on the Chitina Subdistrict either. I
33 see Devi has got her hand up. Maybe she can enlighten us
34 on that.

35

36 MS. SHARP: The issue of geographical
37 boundaries in these resident zoned is a sticky unresolved
38 issue for the Park Service. The communities that we have
39 added or we re proposing to add to our resident zoned
40 communities -- Dot Lake, Northway, Tanacross, Tetlin and
41 Healy Lake -- they will have two years after the rule is
42 passed to give us a geographical boundary. And Dot Lake
43 has already done that for us -- lines on paper. So those
44 are the only communities that we have lines on paper.

45

46 CHAIRMAN LOHSE: That s -- yeah. So I
47 share your concern on that, Terry. I don t know how we
48 handle it either. Okay, Fred?

49

50 MR. F. JOHN, JR.: I don t think -- my own

00237

1 reason is that -- these guys that come up on the highway
2 and live on the highway, they re one day or two day people.
3 And I -- you know, we re talking about customary and
4 traditional. And when I talk about customary and
5 traditional, I put it in those villages that have been
6 there for a long time. It s not just somebody that come
7 lately. We re just making fun of C&T if we just put
8 everybody in there right now. I mean, even though there s
9 not discrimination in rural area. That s my reason. C&T
10 is, for the native village of Mentasta, is very important.
11 For the native village of Copper Center. C&T means
12 customary and traditional and there s probably a lot --
13 about eight factors of it. And we just start throwing
14 everybody in, the State will just take over again. That s
15 all I have to say.

16
17 CHAIRMAN LOHSE: Okay, we have a motion on
18 the table. Is there any other discussion on the motion?
19 Any comments on the motion? Okay, then if there s no more
20 further discussion or comments, the question is in order.

21
22 MR. DEMENTI: Question.

23
24 CHAIRMAN LOHSE: The question s been
25 called. All in favor of the motion, signify by saying aye.

26
27 IN UNISON: Aye.

28
29 CHAIRMAN LOHSE: All opposed signify by
30 saying nay.

31
32 (No opposing responses)

33
34 CHAIRMAN LOHSE: Motion carries.

35
36 Okay with that, we have six minutes till lunchtime.
37 We have the Request for Reconsideration is the next thing
38 on the agenda. That will be under Tab F. And I guess we
39 might as well just take five minutes off ahead of time for
40 lunch. Was everybody capable of getting back in an hour
41 yesterday? I mean, did it work out so everybody could have
42 been back in an hour? Let s just take an hour for lunch
43 today then instead of an hour and a half. Unless I ve got
44 a lot of objections. So we ll get back at 1:30 so we can
45 get started. It s possible we can get through some more of
46 this stuff today.

47
48 (Off record)

49
50 (On record)

00238

1 CHAIRMAN LOHSE: We ll call this public
2 meeting of Southcentral Alaska and Subsistence Regional
3 Advisory Council fall meeting back to order. If we could
4 all stay on track for the afternoon, we may get done today
5 if we have to work late. If we don t, we ll be back
6 tomorrow morning. Okay, we have item for reconsideration
7 RFR-00101, Tab F.

8
9 MS. PETRIVELLI: Hello, my name is Pat
10 Petrivelli and I m with the Office of Subsistence
11 Management and I did the staff analysis of the Request for
12 Reconsideration submitted by Mr. Midvag. And he was
13 requesting a reconsideration of Proposal 12, which asks for
14 a positive customary and traditional use determination for
15 the residents of Slana residing in Units 13(C) and the
16 other residents of 13(C) for Unit 11 black bear, brown bear
17 and goat. And when he submitted the request for -- well,
18 in his request, he said he believed that a clerical error
19 had left out half of the community of Slana. And a staff
20 analysis was prepared for the 2000 cycle and it was
21 presented in March to this Council and then also at the May
22 board meeting and the request was denied. In the request
23 he asked -- he said that a letter wasn t submitted to the
24 Board for reconsideration. And that letter was included as
25 a footnote but -- so the Board was aware of the letter but
26 it wasn t -- and I don t know if the Council discussed
27 thoroughly but the Board -- the letter discussed a policy
28 of treating communities as one. That the policy of the
29 Federal Subsistence Board who s been -- where a community
30 is divided by a unit boundary, that the community shall be
31 treated as one.

32
33 So that would apply to Slana because half of the
34 community is in Unit 11 and half is in Unit 13(C). And on
35 Page 3 of the Section F, it shows the different customary
36 and traditional use determinations for those different
37 areas of Slana. And it s George Sherrod, who wrote the
38 original staff analysis, he called the residents of Slana
39 that reside in Unit 11, they were called New Slana and the
40 residents who reside in Unit 13 were called Old Slana. And
41 so they have different determinations in Unit 11 for black
42 bear, brown bear and goat, which was the topic of the
43 Proposal 12. Mr. Midvag was requesting that Slana, in Unit
44 13(C), also be granted C&T. In the letter that he received
45 from the Office of Subsistence Management, mentioned that
46 they should have C&T because -- for brown bear or for those
47 species because it has been the policy to treat a community
48 as one. Mr. Midvag s proposals didn t address the other
49 units, Units 12 and 13, and there are different
50 determinations there and these were brought out in the

00239

1 analysis of Proposal 12 in appendix. The only differences
2 in Unit 12 is for moose and then in Unit 13 the difference
3 is for brown bear and for moose again.

4

5 And there was no new information presented in the
6 request but -- except for the idea of the past board
7 policy. And in discussing this request, it has been
8 recommended to follow that policy and the solicitor s
9 office recommends also that wherever a community is split,
10 that the community be treated as a whole. So the
11 recommendation is, wherever there is a positive C&T for one
12 portion of the community, to grant it to the other portion
13 of the community so that it would be consistent to avoid
14 confusion. And that s happened in the past, in Chickaloon.
15 Chickaloon straddles Units 13 and 14 so the regulations
16 read whenever Chickaloon has a positive C&T in 13 then in
17 14 it goes for all the residents of units -- and I forget
18 what section, but units whatever -- and the residents of
19 Chickaloon to insure that the whole community has the same
20 designation. And then the other areas is in Upper and
21 Lower Kalskag, they straddle Unit 18 and 19(A) and
22 Anaktuvuk Pass is in Unit 24 and 26. So wherever one --
23 where they have a customary and traditional use in one
24 unit, in the other the residents are referred to so that
25 it s inclusive for the whole community.

26

27 And as far as the way it s effected for Slana, they
28 are a resident zoned community of the park and they make no
29 distinction between Old and New Slana or whether they re in
30 13 or 11, the Park Service considers them as a community.
31 And so the recommendation is that -- well, that they --
32 well, and the solicitor s recommendation is that they are
33 one community. The other portion of Proposal 12 dealt with
34 the other residents of Unit 13(C) and in that regard, we
35 were hoping that maybe some people would come in that were
36 residents -- the other residents of 13(C) and maybe present
37 other testimony but otherwise the staff recommendation from
38 Proposal 12 recommended further analysis and study for
39 those areas to see -- for Units 11, brown bear, black bear
40 and goat, so. And then also, they could present testimony
41 of the eastern interior and hopefully give evidence about
42 the use for those other residents of 13(C).

43

44 CHAIRMAN LOHSE: I missed that last part,
45 Pat.

46

47 MS. PETRIVELLI: Proposal 12 originally
48 included a request for Slana in Units 13(C) to have
49 positive C&T for brown bear, black bear and goat but it
50 also asks for a positive C&T for the other residents of

00240

1 Unit 13(C).

2

3 CHAIRMAN LOHSE: Oh, okay. Okay. So
4 that s a separate part of the proposal. The first part of
5 the proposal deals with Unit 11.

6

7 MS. PETRIVELLI: No, it s still part of
8 Unit 11. Proposal 12, the original Proposal 12, asked for
9 a positive C&T for Slana in Units 13(C) and the other
10 residents that don t have a positive C&T, which are the
11 people who live on the road. And that request was denied.

12

13 CHAIRMAN LOHSE: That request was denied.
14 Okay. So the part that we're dealing with though.....

15

16 MS. PETRIVELLI: Yeah. In the
17 recommendation, the only part of the Request for
18 Reconsideration that we're dealing with are just the Slana
19 residents of 13(C) at this time.

20

21 CHAIRMAN LOHSE: The Old Slana residents of
22 13(C) in Unit 11?

23

24 MS. PETRIVELLI: No. No, they -- oh, for
25 -- well, the recommendation is to deal with the issue of
26 Slana.

27

28 CHAIRMAN LOHSE: Right.

29

30 MS. PETRIVELLI: So that would be the
31 residents of Slana -- well, whether they live in 13(C) or
32 11 -- to make the regulations consistent for the community
33 as a whole.

34

35 CHAIRMAN LOHSE: Oh, okay.

36

37 MS. PETRIVELLI: In all three units.

38

39 CHAIRMAN LOHSE: Okay, in all three units.

40

41 MS. PETRIVELLI: Yes.

42

43 CHAIRMAN LOHSE: Oh, okay.

44

45 MS. PETRIVELLI: And to deal with it as --
46 and just deal with that issue of where a community is
47 divided that where it's been granted a positive C&T use in
48 one area, that the rest of the community receives the same
49 treatment. So that's the only issue that was recommended
50 we deal with it this time.

00241

1 CHAIRMAN LOHSE: That's the only issue
2 that's up for reconsideration?

3
4 MS. PETRIVELLI: Well, Mr. Midvag asked to
5 request the reconsideration of Proposal 12 and in looking
6 at it there was no new data presented except for the fact
7 that it is board policy to deal with a community as a
8 whole.

9
10 CHAIRMAN LOHSE: Okay.

11
12 MS. PETRIVELLI: So the recommendation at
13 this time is to deal with Slana only and make it wherever
14 there was a positive C&T issued for one portion of the
15 community, to grant it to the other portion of the
16 community in all three units. And deal with the other part
17 of the request -- to deal with that later after more study
18 is done, if new information is presented that supports the
19 positive C&T.

20
21 CHAIRMAN LOHSE: And that would be
22 additional C&T?

23
24 MS. PETRIVELLI: Well, for the other
25 residents of 13(C).

26
27 CHAIRMAN LOHSE: Right. Right. Okay, for
28 the other residents of 13(C). So basically what we're
29 dealing with is Slana?

30
31 MS. PETRIVELLI: Is Slana, yeah.

32
33 CHAIRMAN LOHSE: And New Slana and Old
34 Slana -- maybe you could explain that to me -- is New Slana
35 -- is the one in Unit 11 that has a positive C&T?

36
37 MS. PETRIVELLI: Yes, in Unit 11 they have
38 a positive C&T for black bear, brown bear and goat.

39
40 CHAIRMAN LOHSE: Okay.

41
42 MS. PETRIVELLI: And Old Slana doesn't.

43
44 CHAIRMAN LOHSE: Okay.

45
46 MS. PETRIVELLI: Okay.

47
48 CHAIRMAN LOHSE: Now when they say new and
49 old, is it really new and old? I mean, was Old Slana
50 there longer than New Slana or -- I mean, is Old Slana the

00242

1 old community of Slana?

2

3 MS. PETRIVELLI: I should know that, right?

4 I think George knows that better because George wrote the

5 original analysis.

6

7 CHAIRMAN LOHSE: Here comes George.

8

9 MS. PETRIVELLI: Yeah, and I'm completely

10 confused about it.

11

12 MR. SHERROD: I didn't bring any of my
13 backup material but basically, Old Slana -- the portion in
14 Unit 13(C) is the site of the original road house and the
15 community that developed. The portion of Slana in Unit 11
16 rose out of a land disposal -- a homestead act that the BLM
17 conducted, I believe, in the 1980's. When the Federal
18 government adopted State regulation, State regulations
19 contained different C&Ts for the two communities. And in
20 some cases, specifically identifying those residents of
21 greater Slana that has been homesteaders there in the 80's.
22 So this is where the problem sort of arose.

23

24 CHAIRMAN LOHSE: So in this case what we

25 have is we have the new community has C&T in Unit 11 but

26 the old community doesn't.

27

28 MR. SHERROD: Right, by virtue of being in
29 Unit 11, the C&T for Unit 11 is all residents of Unit 11.
30 Most of C&Ts for Unit 13 are identified by specific
31 community. So this is where -- without trying to confuse
32 the issue too much -- where the request for these other
33 individuals that live along households, because they're
34 left out. If you're not within the boundaries of a
35 specific community, you're out.

36

37 CHAIRMAN LOHSE: Okay, okay. But what the
38 recommendation is, is to make the community one -- treat
39 the community as one community but not treat those people
40 that are outside of the community -- not to deal with a C&T
41 on the people that are outside of the community.

42

43 MR. SHERROD: Right. The basis for the
44 reconsideration was the fact that a letter had been issued
45 between -- prior to the evaluation of the proposal last
46 year and that that letter was probably not given full
47 airing in the decision making process. The Board, in
48 reconsidering or in evaluating the Request for
49 Reconsideration, found that there was merit in some of
50 their past actions of treating communities the same,

00243

1 regardless of where they fall. And so that portion was
2 moved forward. The question about these isolated
3 households, there was no new data. Part of the problem
4 that this body was confronted with in looking at Proposal
5 12 last year was the lack of documented harvest. If I
6 recall, there was only one bear harvested in Unit 11 by
7 residents of either portion of Slana and none of the other
8 species in the 10 or 15 years that we had ticket
9 information. And it was based upon this lack of documented
10 harvest that this body and the Board found justification in
11 denying the request.

12

13 CHAIRMAN LOHSE: Now has there been any
14 additional documented harvest shown?

15

16 MR. SHERROD: There's no new -- no new
17 harvest information has been brought forward to this date.

18

19 MR. DEMENTI: Ralph.

20

21 CHAIRMAN LOHSE: Okay. Gilbert?

22

23 MR. DEMENTI: Wouldn't it be easier just to
24 do individual C&T then? If there's just one harvest in all
25 these years?

26

27 MR. SHERROD: Well, individual C&Ts would
28 only apply to the park service lands because of our
29 regulations, it could be a.....

30

31 MR. DEMENTI: That is Park Service land
32 (indiscernible - simultaneous speaking).

33

34 MR. SHERROD: Well, that would be Unit 11.

35

36 MR. DEMENTI: Unit 11.

37

38 MR. SHERROD: But the policy that the Board
39 is putting forward is the fact that if you treat a
40 community the same, this reconsideration or this -- the
41 results of this reconsideration effects Units 12 and Unit
42 13, which were not part of the original proposal. So in
43 suggesting that we treat the community the same, we modify
44 not only the existing customary and traditional use
45 determination for Unit 11 where individual C&Ts would apply
46 but also Unit 12 and Unit 13 where they would not apply.

47

48 MS. PETRIVELLI: I mean, the idea is -- the
49 policy is that to treat the community as a whole. And
50 because Slana has C&T for those -- Slana residents in Unit

00244

1 11 have C&Ts so it's to treat the community as a whole and
2 it's a recommendation from this solicitor that you can't
3 divide up the community and treat them differently. That
4 where one portion of a community has C&T, the other portion
5 has it also.

6

7 CHAIRMAN LOHSE: Okay, any other questions?
8 Fred.

9

10 MR. ELVSAAS: A little confusion on New and
11 Old Slana. Are they two separate communities or are they
12 one community with.....

13

14 MS. PETRIVELLI: They're one community.

15

16 MR. ELVSAAS: They're one community.

17

18 MS. PETRIVELLI: They're one school, one
19 post office. It's just regulators that have made two
20 communities.

21

22 MR. ELVSAAS: But it sounds to me, from
23 what I've heard, is that part of the community that's
24 called New Slana.....

25

26 MS. PETRIVELLI: No.

27

28 MR. ELVSAAS:is in 11.

29

30 MS. PETRIVELLI: I don't think so.

31

32 MR. ELVSAAS: And the part that -- so
33 apparently the boundary is right through the town
34 community.

35

36 MR. SHERROD: It's the Slana River -- forms
37 the boundary. And as I say, some portions of the
38 community, the social community -- because it's not an
39 organized community so, you know, the State doesn't have
40 boundaries for it -- lie in Unit 11 and part of it lies in
41 Unit 12.

42

43 MR. ELVSAAS: And they're both sides of the
44 river?

45

46 MR. SHERROD: Right.

47

48 MR. ELVSAAS: Okay. So the old is on the
49 eastern side of the river and the new is on the highway
50 side?

00245

1 MS. PETRIVELLI: No.

2

3 MR. SHERROD: No, just the other way
4 around.

5

6 MR. ELVSAAS: Oh, the other way. Oh.

7

8 MR. SHERROD: And the new and the old were
9 terms I applied to try -- in the Unit 12 analysis -- to try
10 and distinguish those households that were a result of the
11 BLM homestead act in the 80's and those that were there
12 prior to that or that part of the community that was there
13 prior to that. It must be understood that people have
14 moved in and out so what the -- the status quo in the 80's
15 is not the status quo today, twenty-some years later.

16

17 MS. PETRIVELLI: But they don't think of
18 themselves separate.

19

20 MR. SHERROD: Yeah, they don't think of
21 themselves as separate. It's with an artifact in large
22 part from the existing determinations we adopted from the
23 State. The State, when they were doing these much closer
24 to the 1980's, when this homestead act was a brand new
25 group of people arriving, saw the history of these two sets
26 of households. Even though they were continuous along the
27 road as being distinct and made the cut between those that
28 were there prior to the homestead act and those subsequent
29 to the homestead act.

30

31 CHAIRMAN LOHSE: Now have -- are there -- I
32 don't know how to say this, but are there old-timers in
33 both sections?

34

35 MR. SHERROD: That I can't answer, but I do
36 believe there may be somebody in the audience that can.

37

38 CHAIRMAN LOHSE: I mean, the people that
39 have moved from one section to the other and.....

40

41 MR. SHERROD: There has been movement, I
42 know that. My original conclusion or my original
43 recommendation was to postpone action on Proposal 12 last
44 year until we were able to conduct some further research
45 and try to ferret some of this information out. But still,
46 based on the fact that we had no documented harvest, it was
47 the judgment of this group and the judgment of the board
48 subsequent to your recommendation, that the lack of harvest
49 took precedence and denied the request for the old portion
50 of Slana having -- or the 13 portion of Slana having C&T in

00246

1 Unit 11.

2

3 CHAIRMAN LOHSE: Any other questions for
4 Pat or George?

5

6 MR. ELVSAAS: The other thing is, they want
7 the rights to Unit 11 for all of 13(C)?

8

9 MS. PETRIVELLI: Well, the original request
10 was for the residents of Slana residing in 13(C) to have a
11 C&T determination in Unit 11 for black bear, brown bear and
12 goat. And it was for the areas that even the residents of
13 this -- the same areas that the Slana people that live in
14 11 -- those same C&T determinations. And it also included
15 the other residents of 13(C) because besides Slana and then
16 those people -- which are about 30 people -- everyone else
17 would have a positive C&T determination that live in 13(C).

18

19 CHAIRMAN LOHSE: But not all of the
20 residents of 13(C), I don't think, is what they were
21 talking about.

22

23 MS. PETRIVELLI: The proposal, 12, included
24 the residents of Slana residing in 13(C).....

25

26 CHAIRMAN LOHSE: Right.

27

28 MS. PETRIVELLI:and then the other
29 residents of 13(C) who did not have a positive C&T already.

30

31 CHAIRMAN LOHSE: Oh, okay. So that's part
32 of it's been dropped off of this right now. It's not part
33 of the Request for Reconsideration because it's a whole
34 different subject.

35

36 MS. PETRIVELLI: Well, it was part of the
37 Request for Reconsideration by Mr. Midvag and our
38 recommendation only because no data was presented to grant
39 a positive C&T for those other people.

40

41 CHAIRMAN LOHSE: Okay.

42

43 MS. PETRIVELLI: But just to address that
44 policy issue -- the Board policy issue of the past of
45 treating a community as one and the solicitor's
46 recommendation that a community be treated as one, that we
47 base the recommendation to adjust the C&Ts to match.

48

49 CHAIRMAN LOHSE: Okay. Fred, do you
50 understand that one? What they're saying is, that part of

00247

1 it we're not considering now.

2

3 MR. ELVSAAS: Right. Right. It will be
4 just the community of Slana.

5

6 CHAIRMAN LOHSE: The only thing we're going
7 to consider is, do you treat the community of Slana as one.
8 I think if I'm -- am I summarizing what you said?

9

10 MS. PETRIVELLI: That's our recommendation.

11

12 CHAIRMAN LOHSE: Well, that's what the
13 solicitor's recommendation is.

14

15 MS. PETRIVELLI: Yeah. Yeah.

16

17 CHAIRMAN LOHSE: Gilbert, any questions?

18

19 MR. DEMENTI: No.

20

21 CHAIRMAN LOHSE: Okay, thank you. I don't
22 see any ADF&G recommendations on this one.

23

24 MR. HAYNES: Thank you, Mr. Chairman. No,
25 we haven't made a formal recommendation on this. Although
26 I think our inclination is to support treating the
27 community as a whole. There is additional information now
28 available that has been reviewed and presented in previous
29 staff analyses that wasn't available back in the 1980's
30 when the original State C&T determinations were made. This
31 makes sense to treat communities as one and there may be
32 situations where that doesn't necessarily work but in this
33 case it would seem to.

34

35 CHAIRMAN LOHSE: Thank you. I'm going to
36 probably step out of line but I'm going to ask the park
37 service -- Devi, have you got any comments on this one here
38 since it directly effects the park service?

39

40 MS. SHARP: Thank you, Mr. Chairman. We
41 support treating the community of Slana as one community.
42 We don't, in our administrative and daily business,
43 differentiate between the two communities and don't see any
44 reason to. So we support treating both communities of
45 Slana as Slana and giving them the same C&T.

46

47 CHAIRMAN LOHSE: Thank you. Do we have any
48 written comment?

49

50 MS. WILKINSON: No.

00248

1 CHAIRMAN LOHSE: No written comment. We
2 have some people who wish to speak to this.

3
4 MR. M. EWAN: Ralph, can I ask a question?

5
6 CHAIRMAN LOHSE: Morris, can you ask a
7 question? Sure, you may ask a question.

8
9 MR. M. EWAN: New Slana was born around
10 1980, I remember the State gave out land and these people
11 come in here. And if you give these people C&Ts and the
12 State gives another land grab away, would you be giving
13 those people also all C&Ts?

14
15 CHAIRMAN LOHSE: I don't think so, but
16 I'm.....

17
18 MR. M. EWAN: What if this happens in the
19 future?

20
21 CHAIRMAN LOHSE: We're dealing with is the
22 one that.....

23
24 MR. M. EWAN: I speak in opposition of
25 this.

26
27 CHAIRMAN LOHSE:aren't on the land
28 grab, aren't we?

29
30 MR. M. EWAN: I speak in opposition of
31 this, I want you to know.

32
33 CHAIRMAN LOHSE: Okay. Okay, Gloria?

34
35 MS. STICKWAN: We are in opposition to
36 this. When C&Ts were made back in early 1980's it was done
37 through Wrangell-St. Elias Subsistence Resource Commission.
38 Many of those people during that time that were on that
39 committee were big game hunters and guides and they're the
40 ones who made the original C&T determinations. There
41 wasn't hardly any natives that was on that C& -- during the
42 1980's, there was hardly any natives on there and
43 determinations were made without input from our villages.
44 So that's what happened and it's been adopted -- it's been
45 like that since then. And we opposed this from the
46 beginning but we didn't have adequate representation back
47 in the 1980's on that subsistence resource commission.
48 That's all I have to say.

49
50 CHAIRMAN LOHSE: Okay now, I must be

00249

1 missing something someplace along the line. Part of Slana
2 already has C&T and you're saying that that was done
3 improperly?

4

5 MS. STICKWAN: It was done by people that
6 were big game hunters and guides back in the 1980's when
7 they were on the Council. They made the original C&T
8 determinations for the park. None of our -- hardly anybody
9 in our area was on that Wrangell-St. Elias Subsistence
10 Resource Commission back then. Since then it has changed
11 but since it's already passed, there's nothing we can do
12 about it.

13

14 CHAIRMAN LOHSE: Okay, but then what do you
15 think about dividing a community like that. I mean, we did
16 the same thing with Chickaloon. Basically what we've got
17 is we've got part of the community has and the old part
18 doesn't in Unit 11. The new part has C&T and the old part
19 doesn't.

20

21 MS. STICKWAN: I don't know.

22

23 CHAIRMAN LOHSE: So -- I know. And so.....

24

25 MR. F. JOHN, JR.: Why don't Slana come
26 together?

27

28 CHAIRMAN LOHSE: Well, there would be two
29 ways it could come together: you either take it away --
30 you take it away from one side or you give it to the other
31 side. And I don't think we're in the position to take it
32 away.

33

34 MR. ELVSAAS: No, and we're still dividing
35 the communities.

36

37 CHAIRMAN LOHSE: And we're still dividing
38 the communities, so. You see what I mean?

39

40 MS. STICKWAN: Yeah.

41

42 CHAIRMAN LOHSE: So that's -- but basically
43 you're against this.....

44

45 MS. STICKWAN: We were against the
46 original.....

47

48 CHAIRMAN LOHSE:because of what
49 happened in the past.

50

00250

1 MS. STICKWAN: We were against this from
2 the original proposal and we weren't adequately
3 representative (sic) back in the early 1980's.

4
5 CHAIRMAN LOHSE: Yeah, but that part of
6 it's done.

7
8 MS. STICKWAN: It's done. There's nothing
9 we can do about.

10
11 CHAIRMAN LOHSE: Yeah, that's kind of where
12 I see it, too. Thank you. Does anybody else have any
13 questions for Gloria? Thank you, Gloria.

14
15 George Midvag?

16
17 MR. MIDVAG: Mr. Chairman, the Board, good
18 afternoon.

19
20 CHAIRMAN LOHSE: I was told to ask, are you
21 from New Slana or Old Slana?

22
23 MR. MIDVAG: Well, there's still some
24 confusion here, it seems like. But the funny thing was,
25 the new part -- the part where everyone came after 1980,
26 that was included in the Unit 11 just straight across the
27 board with, of course, the people that have lived there
28 prior in all of Unit 11. What was left out -- and in 13(C)
29 we have, you know, Kenny Lake, Glennallen, Gulkana, Gakona
30 and Chistochina -- they're all included in 13(C). So when
31 you ask, what about the rest of 13(C), they're already all
32 included except a couple of little places that don't have a
33 name along the road. And, you know, like Indian River,
34 Sumpa (ph) and those boys, they don't belong anywhere, so
35 to speak. And the Knightens (ph) down the road, they're
36 sort of part of Slana but they're a few miles away.
37 Dwayne, Alena, Creed, Craig, they're excluded because, you
38 know, Mentasta is included but that little piece of road is
39 not. And Angus DeWitt that was born down there 75 years
40 ago -- he's excluded. And he had a real funny expression
41 on his face when we told him that. Steven John is excluded
42 and I'm excluded where I live right now but I have a house
43 on the other side of the river so if I move my address over
44 there I'm fine.

45 So, you know, it just -- there was such a small
46 place that got left out by the designation not being either
47 blanket 13(C) where all the other communities are mentioned
48 by name. Even all of Glennallen, people come and go down
49 there like crazy. But also the villages, they're all
50 included. And up here into 12 -- that's included by Unit

00251

1 12 and by name, Mentasta. But the rest of 12 is also
2 included. So either -- if Slana had been called Slana,
3 then that little chunk where we happen to live, right a
4 mile and a half from the highway to the river and then a
5 couple of miles each way -- that's the piece that's
6 excluded. Because it's not named by name and it's not
7 named by unit. But everything else, we drive a little
8 further down the road, it's covered. And this was the
9 situation, it was pretty well covered here except there was
10 still some confusion about which part was actually the ones
11 that did have. And the new part is all included just fine.
12 Do anything you want in 11 but the old part, like the part
13 I mentioned for you that know the area locally, where Angus
14 lives and where the road house is and, you know, up to
15 Knightens' and Dora Bouchay (ph) and they're all excluded.
16 And it's such a small area, just a mile and a half down the
17 road.

18
19 And in this one study here that -- on an analysis
20 of subsistence hunting that was submitted to the University
21 of Alaska in Fairbanks -- have you seen this? There's a
22 map in there that shows the use of each area. And it shows
23 the use of Nebesna Road as being one of the hardest hit
24 subsistence areas in the whole -- we had a whole area. And
25 now the mile and a half of that is excluded. And
26 everything is mentioned by name here except at Nebesna
27 Road. And that Nebesna Road took a real hit in the old
28 days -- everybody used that. But there's also some old-
29 timers that live on the other side, way out there. And
30 they are, of course, now excluded but we -- in my proposal
31 and the reason they are -- when I first brought it up with
32 some of the advisory people, you know, and talked to Frank
33 and all those guys about it, they said, oh heck it was just
34 a stroke of a pen mistake. We all remembered our own
35 communities, you know, Gulkana, Gakona, Kenny Lake,
36 Glennallen. Everybody remembered their own but there was
37 nobody there from Slana so that got left out in the
38 shuffle. And that's really all -- there's very few people.
39 It's just the ones right near the intersection and we got
40 left out, somehow. And that's my Request for
41 Reconsideration. You've already mentioned the letter that
42 we received from the Subsistence Board last year -- from
43 Mitch's office and this says, oh, we didn't intend that,
44 that was a mistake. And they said, go right ahead. That
45 covered last year. But then when it was brought up in
46 Kenai, this letter -- well, I now hear it was a footnote
47 but, somebody might not have read it.

48

49 CHAIRMAN LOHSE: I didn't, I'm sorry.

50

00252

1 MR. MIDVAG: And there was my letter here --
2 I have it here if somebody wants a copy of it. I'm not
3 going to bore you reading the whole thing but what it says
4 in essence is that it is not the Board's policy and
5 tradition to split communities up. And that's the part I
6 was getting at. Now I actually meant to include these few
7 people that live these 10 miles down, whether they call
8 them Slana or not, because on that side of the river all
9 our addresses are Gakona addresses so I don't even know if
10 that puts them under the Gakona designation even though
11 we're 60 miles away from Gakona. But the highway delivery
12 is all Gakona or you can have a mailbox across the river
13 and call -- no, this side of the river and call it Slana.
14 But to me it just looks like a little FUBAR that just could
15 be corrected very, very easily. Because we are so few out
16 of the whole basin with 6,000 people and we've got 30
17 people excluded. And that's the one we couldn't
18 understand. So I'm glad that you took the time to bring it
19 up again because this has kept me awake a few nights.

20
21 CHAIRMAN LOHSE: Well, that's because you
22 guys never drove across the bridge. What's been.....

23
24 MR. MIDVAG: That's basically all I have to
25 comment.

26
27 CHAIRMAN LOHSE: What's been suggested to
28 us is that, at this point in time, what we can handle is
29 recombining Slana. We can't deal with those that are.....

30
31 MR. MIDVAG: That would be fine because, I
32 mean.....

33
34 CHAIRMAN LOHSE: Because on the basis for
35 the Request for Reconsideration is the fact that.....

36
37 MR. MIDVAG: Slana.

38
39 CHAIRMAN LOHSE:the policy is not to
40 split communities.

41
42 MR. MIDVAG: Yeah.

43
44 CHAIRMAN LOHSE: That doesn't cover
45 somebody that's not in the community and that would have to
46 be worked at a different time.

47
48 MR. MIDVAG: Well, it's a real fuzzy border
49 because, you know, I mean even five miles away they still
50 say we live in Slana. But like you said earlier, there's

00253

1 no community set border. And that's what -- the same thing
2 -- remember what happened in Gulkana when they went dry?
3 Everybody was trying to figure out how far that stretched,
4 you know. And that caused a lot of problems down there,
5 just trying to say where this place end or begin.

6
7 CHAIRMAN LOHSE: Yeah, if people ask me
8 where I live, I tell them McCarthy but my address is
9 Chitina. And I really live at 44.5 McCarthy Road and I do
10 not claim to be a McCarthyite, you know, so.

11
12 MR. MIDVAG: Well, we have people down our
13 way that prefer Gakona and Slana.

14
15 CHAIRMAN LOHSE: Well, that tells you
16 something. Okay, does anybody have any questions for
17 George?

18
19 MR. ELVSAAS: No, now that we know the
20 difference between old and new.

21
22 CHAIRMAN LOHSE: Thank you.

23
24 MR. MIDVAG: Thank you very much for your
25 time.

26
27 CHAIRMAN LOHSE: We don't have any other
28 public testimony listed. Is there any other public
29 testimony that I missed? Somebody that turned in a blue
30 slip? No, okay. At this point in time, for us to discuss
31 it, we need a motion on the table. Do I hear a motion to
32 combine the communities of Slana?

33
34 MR. ELVSAAS: Mr. Chairman, the request is
35 for reconsideration.....

36
37 CHAIRMAN LOHSE: Okay.

38
39 MR. ELVSAAS:and I don't know what
40 the past action was. Was the past action denial?

41
42 CHAIRMAN LOHSE: Denial, right.

43
44 MR. ELVSAAS: So I guess the first thing
45 we'd have to agree to is to reconsider the action. We'd
46 have to have a motion approving that.

47
48 CHAIRMAN LOHSE: A motion to reconsider the
49 action.

50

00254

1 MR. ELVSAAS: Right. And I would move to
2 reconsider the action.

3
4 MS. PETRIVELLI: Well, actually the Board
5 had already decided to accept the reconsideration for the
6 purposes of -- so it's just -- it is reconsideration in
7 light of this so.....

8
9 MR. ELVSAAS: Oh, it's not a
10 reconsideration.

11
12 MS. PETRIVELLI:they're asking for --
13 yeah, so they're asking.....

14
15 MR. ELVSAAS: Oh, okay.

16
17 MS. PETRIVELLI:for your input in the
18 reconsideration of this. In that -- in those areas.

19
20 CHAIRMAN LOHSE: So they're basically
21 asking whether we support combining Slana as one or leaving
22 it the way it is, right?

23
24 MS. PETRIVELLI: Yeah. Yeah.

25
26 MR. ELVSAAS: With that, then I would move
27 that we approve the staff recommendation which is to
28 combine the community as one but not include the balance of
29 13(C).

30
31 CHAIRMAN LOHSE: Do I hear a second?

32
33 MR. DEMENTI: Second.

34
35 CHAIRMAN LOHSE: It's been moved; it's been
36 seconded. Discussion?

37
38 MR. F. JOHN, JR.: Question.

39
40 CHAIRMAN LOHSE: The question's been
41 called. All in favor, signify by saying aye.

42
43 IN UNISON: Aye.

44
45 CHAIRMAN LOHSE: Opposed signify by saying
46 nay.

47
48 (No opposing responses)

49
50 CHAIRMAN LOHSE: Motion carries.

00255

1 Okay, at this point in time, the floor is open for
2 proposals to change Federal subsistence regulations for
3 wildlife and we have proposal forms for anybody that would
4 like to write out a new proposal. Do we hear any wildlife
5 proposals at this time? While the floor is open right now,
6 the Subsistence Board is open for proposals to change
7 wildlife regulations up until the closing date of -- I
8 think it's February something.

9

10 MR. DEMENTI: October 27th.

11

12 CHAIRMAN LOHSE: October 27th? Oh, October
13 27th. So you basically have got four weeks to get a
14 proposal in if you wish to change a wildlife regulation.
15 The forms are available, it doesn't have to be done at this
16 meeting.

17

18 We will now go on to agency reports. We already
19 took care of the subsistence management so the next agency
20 report is migratory birds. Do we have somebody here to
21 give us a migratory bird report?

22

23 MR. PROBASCO: Mr. Chairman, I think
24 there's some more staff reports yet under the column and
25 the next one would be the consultation coordination of the
26 State of Alaska.

27

28 CHAIRMAN LOHSE: Oh, you're right.

29

30 MR. PROBASCO: Mr. Boyd took care of the
31 first.....

32

33 CHAIRMAN LOHSE: He took care of from A to
34 1 through 3.

35

36 MR. PROBASCO: To the staffing.

37

38 CHAIRMAN LOHSE: So are you going to start
39 where B is? Right?

40

41 MR. PROBASCO: That's correct.

42

43 CHAIRMAN LOHSE: Okay, my fault. We still
44 have to finish number 1. Here I thought we'd get out
45 today.

46

47 MR. PROBASCO: Well, we'll make it real
48 short for you, Mr. Chairman. Mr. Chairman, my name is.....

49

50 UNIDENTIFIED SPEAKER: (Indiscernible -

00256

1 away from microphone).

2

3 CHAIRMAN LOHSE: This is under Tab.....

4

5 MR. PROBASCO: H.

6

7 CHAIRMAN LOHSE:H.

8

9 MR. PROBASCO: And Mr. Chairman, my name is
10 Pete Probasco. I've been recently hired as the State
11 liaison for the Federal system. My prior career was with
12 the Department of Fish and Game as the regional supervisor
13 for the westward region.

14

15 Mr. Chairman, before you under Tab H is a more
16 detailed report of the consultation and coordination with
17 the State of Alaska. And I'll just briefly summarize that
18 for you since the details are in the written part. The
19 Regional Advisory Councils have expressed a great deal of
20 interest in tracking our working relationships with the
21 State of Alaska. And as I said, included in your booklet
22 is a summary of that. In that also is a summary of the
23 inner memorandum agreement between the Federal agencies,
24 the Federal Subsistence Board, ADF&G, Board of Fisheries
25 and Board of Game. And that's summarized in that first
26 paragraph and it hits the high points of that MOA. Once
27 the MOA was finalized in April, the Federal/State MOA
28 working group focused immediately on the developing an in-
29 season fisheries management protocol and focused on the
30 Yukon drainage. And it's safe to assume that this is a
31 starting point for other protocols that will be developed
32 for other river drainages in the future. Mr. Tom Boyd
33 summarized and highlighted how that working relationship
34 went this year with the Yukon protocol. There were some
35 rough roads initially in the process, which was expected.
36 However, as the season went on and as we moved through the
37 more difficult decisions in the fall, most of the bugs had
38 been worked out and things were working fairly well.
39 There's still some additional issues to address and make it
40 better but I think a lot has to be said with the staff and
41 the work that went into it to make this work this year.

42

43 The next step that will be done this winter is --
44 this umbrella agreement between agencies identified other
45 protocols that will be developed and those are listed in
46 the second paragraph and those will be done this winter.
47 And they'll address in-seasons fisheries management; data
48 management; regulatory processing, including coordination
49 among boards; identification of subsistence use amounts and
50 fisheries and wildlife management planning. And what I

00257

1 would like to do is encourage involvement of the Regional
2 Advisory Councils. Maybe an advisory Council process but
3 hopefully more importantly is actively -- members on these
4 committees to help address in these protocols. And staff
5 will be providing the opportunities and information to keep
6 you up to speed on when these committees will be meeting
7 and when the issues will be addressed.

8

9 And again, just to reiterate, I'd like to ask
10 Council to discuss participation in these protocols and
11 we'll do our best to keep you informed and up to speed on
12 that. And Mr, Chairman, that's a summary of that report.

13

14 CHAIRMAN LOHSE: So basically, with the one
15 that you had in place for the Yukon this summer, it
16 actually worked?

17

18 MR. PROBASCO: Yes, it worked. There were
19 difficult parts of it but all in all I'd say it went very
20 well.

21

22 CHAIRMAN LOHSE: Now were the difficult
23 parts just simply because it takes implementation or were
24 the difficult parts because of -- oh, how do I want to say
25 it -- a tendency for everybody to try to carve out their
26 niche of authority?

27

28 MR. PROBASCO: No, I think it's more the
29 latter. You have a new type of management regime coming in
30 and you have existing managers and new agencies come in and
31 so the communications, I would say, were the main part.
32 And understanding of the Federal -- had tried to adjust
33 their system so they could react in-season much quicker to
34 try to mirror what the State has, emergency order
35 authority. So all of that was going through the initial
36 phase and anytime you develop a new program you're going to
37 have bumps in the road. But all and in all I would say it
38 worked fairly well.

39

40 CHAIRMAN LOHSE: So it was mostly
41 communication, not protection of turf?

42

43 MR. PROBASCO: That's correct. That would
44 be my summary of that, Mr. Chairman.

45

46 CHAIRMAN LOHSE: Any questions? Thank you.
47 Tim?

48

49 MR. JENNINGS: Mr. Chair, I will give the
50 next part of the agency reports under subsistence

00258

1 management. My name is Tim Jennings and the next report
2 covers the Regional Council Fisheries Training, Phase III
3 and that is also under Tab H. It's a summary there that
4 says Regional Council Fisheries Training, Phase III. By
5 way of background, if you'll recall when the Federal
6 program assumed fisheries management, there was several
7 initiatives to help implement the fisheries program into
8 the Federal side. And one of these initiatives was
9 training. Training for Council members, training for
10 Federal Board members and training for staff. Phase I of
11 the training involved some board member orientation whereby
12 last summer, in 1999, board members traveled to subsistence
13 sites along the Yukon River. Phase II training was last
14 January, you recall, I think most of you were in Anchorage
15 for a rather comprehensive gathering of State and Federal
16 and subsistence Council members to discuss implementation
17 of fisheries. We also had an in-season management meeting
18 at the end of May which I believe, Mr. Chair, you attended,
19 where we talked about in-season management issues related
20 to fisheries management.

21
22 And so this brings us now to Phase III or what's
23 been called Phase III. After the first full season of the
24 2000 fishing season now behind us -- largely behind us, we
25 want to bring together Council members, key Federal staff
26 and State staff to discuss and reflect back on the 2000
27 season, remaining issues and how to look forward to 2001.
28 We also want to, as Tom Boyd mentioned this morning, we had
29 already planned in January to bring the Council members
30 from across the State altogether in order to provide input
31 on the fisheries projects -- the monitoring studies. And
32 so we wanted to capitalize on the need to bring the Council
33 members together for that input and also dovetail with some
34 additional training -- this Phase III training. So what
35 you have before you in the book is a draft agenda with some
36 possible topics. The first item there is review of the
37 draft fisheries studies plan. That will be done -- that's
38 the thing that Tom had mentioned this morning.

39
40 The other five remaining items: in-season
41 fisheries management, status of western Alaska salmon runs,
42 fisheries assessment methods, developing fisheries study
43 proposals and the fisheries regulatory process -- those are
44 all possible agenda items and we want to emphasize at this
45 point that they're tentative. And what we're doing is
46 coming before you and the other Councils this fall and to
47 ask for input on agenda topics either on the ones that
48 we've listed or if you have other items or other areas of
49 interest that you believe that would be desirable to have
50 covered.

00259

1

2 And so that's my report on this topic, Mr. Chair,
3 and I'd stand by now or later on in the meeting to take any
4 feedback you may have on the possible agenda topics for the
5 January training for Phase III.

6

7 CHAIRMAN LOHSE: Looks like a pretty
8 optimistic training session. If we covered that much,
9 that's going to be a pretty full three days.

10

11 MR. JENNINGS: Yes, we've set aside up to a
12 week.....

13

14 CHAIRMAN LOHSE: Five days?

15

16 MR. JENNINGS: One thing that we would like
17 input on is -- you'll recall last January's that we had
18 some caucus meetings where we had two or three Councils
19 participate in caucus sessions. We also had prepared
20 presentations delivered by speakers. We'd like some
21 feedback from you on how best to arrange this future
22 training. If the caucus sessions were more beneficial or
23 if there's specific presentations that you believe that
24 would be beneficial. And then we'll tailor the program,
25 the agenda accordingly. We see one day on the agenda as
26 being dealt with -- dealing with the draft fisheries study
27 plan. And so that would leave us probably three days -- I
28 don't know if we'll go for the entire week. It's still
29 being discussed and we would need your input in terms of
30 what's needed.

31

32 CHAIRMAN LOHSE: When do you need the input
33 by?

34

35 MR. JENNINGS: We would appreciate feedback
36 in the near future because it does take some time to
37 organize something of this magnitude. I don't have any
38 particular deadline for input. As soon as possible, within
39 the next few weeks -- several weeks would be appreciated.

40

41 CHAIRMAN LOHSE: As soon as possible.
42 Okay. So we need to, as a group or as individuals, be
43 thinking of areas of concern that we'd like education on as
44 a Council that could be covered under this. Right? Or
45 that we feel would be worthwhile for all Councils to hear.

46

47 MR. JENNINGS: Yes.

48

49 CHAIRMAN LOHSE: Any questions for -- Ida's
50 got her hand.....

00260

1 MS. HILDEBRAND: Thank you, Mr. Chairman.
2 Ida Hildebrand, BIA staff committee member. I just want to
3 remind the Council that part of the input we're asking from
4 you is for your input as how do you as a Council want to be
5 involved when they develop protocols that develop your --
6 that address your area. And how do you want to be involved
7 in discussions when the whole Council isn't brought into
8 Anchorage or the whole Council is meeting an issue that
9 concerns your Council. I mean, when the whole Council
10 isn't meeting, did you want to nominate people that will
11 represent your Council or is it up to the Chair or those
12 kinds of information that you also need to be discussing
13 and putting comments forward.

14
15 CHAIRMAN LOHSE: Any other questions? Does
16 most of the Council feel like they're going to be able to
17 make this one?

18
19 MR. ELVSAAS: What say?

20
21 CHAIRMAN LOHSE: Do most of you feel you'll
22 be able to make the week in January?

23
24 MR. ELVSAAS: I believe so. I think it's a
25 vital week, you know, that we should make every effort to
26 be there. But, you know, I know this is a great thing but
27 we were just listening to some comments a little bit ago
28 about the problems of the fishery in Lake Clark, Lake
29 Iliamna, where there wasn't enough fish for subsistence but
30 yet Fish and Game, in their process, tends to look towards
31 the commercial and support fishery as how to manage
32 fisheries. And I think that that's something that needs to
33 be addressed very strongly -- is how to get the subsistence
34 management and a handle on this. And I believe that the
35 way to do this for all the areas is to have co-management
36 with the tribes of the areas and the Federal government and
37 the State government. And I think we need to look at that.
38 The in-season fisheries management -- how do you predict
39 the run strengths and so forth. Those are things that
40 concern everybody because the run doesn't hit everybody at
41 the same time. Especially here we're talking about Tanada
42 Creek. That's the very end of a run of fish in the Copper
43 system or the Prince William area. And the same with Lake
44 Clark in the Bristol Bay area.

45
46 And it's the same in Cook Inlet with the Susitna
47 runs. A major focus in Cook Inlet is the Kenai fishery
48 because it's so popular as a sport fishery, although there
49 are subsistence fisheries there. But that's something that
50 needs to be looked at in depth. How do all users have

00261

1 access to the fish. We just looked at reconsideration on a
2 game thing and because some people are in and some are out.
3 Some are on the right side of the river and some are not.
4 And this is going to apply very strongly to the fish in
5 Alaska in regards to subsistence and access to fish and the
6 rights to fish. So I think that this committee should make
7 every effort to be at that meeting.

8

9 CHAIRMAN LOHSE: Gilbert, do you have any
10 questions?

11

12 MR. DEMENTI: No.

13

14 MR. JENNINGS: Okay, Mr. Chair.....

15

16 CHAIRMAN LOHSE: Now are you going on to
17 the next one?

18

19 MR. JENNINGS: I'll move on to the next
20 one.

21

22 CHAIRMAN LOHSE: Good.

23

24 MR. JENNINGS: The next page is entitled
25 Statewide Rural Determinations. The purpose of this
26 briefing, Mr. Chair, is to give the Council an update and a
27 status of the initiative underway to look at statewide
28 rural determinations. There's a provision in our
29 regulations that every 10 years there will be a complete
30 re-evaluation of the rural or non-rural status statewide.
31 And so, this is an update to indicate to the Councils that
32 this initiative has begun through Federal Board direction,
33 our office is in the process of gaining some third party
34 contracting expertise in rural or non-rural sociology in
35 Alaska.

36

37 Our office, ourselves, we didn't feel like we had
38 the kind of expertise that was needed. And I think you'll
39 recall in some of the discussions surrounding the Kenai
40 determination that the methodology that had been used was
41 in need of some improvements and some refinements and so
42 the Board directed staff to initiate this third party
43 contracting effort. So that's been initiated. There's not
44 been a contractor selected yet, we're still developing an
45 appropriate scope of work and having that reviewed and
46 approved by the Board and by key technical committee.

47

48 We recognize that the Regional Councils have a very
49 vital role in this rural/non-rural process and so this is
50 the first step to keep you informed about what's going on.

00262

1 And when we have more concrete results from the contractor
2 and some recommendations we'll be working with, with the
3 Councils, to provide updates. And we also see as a
4 possibility, if you recall, when we implemented fisheries
5 on some of the key fisheries issues, the Board had a couple
6 of the chairs from the Councils attend board sessions. To --
7 it was Willie Goodwin and Dan O'Hara from -- Willie was
8 from Northwest Arctic and Dan from Bristol Bay.

9
10 And we envisioned another possible scenario where
11 the chairs might select a couple of Council chairs to
12 participate in discussions on this issue with the Board.
13 This will be a fairly long term initiative. It's going to
14 be based upon the 2000 census data and the complete census
15 data and all the information will not be available for
16 another year, 18 months. And in that interim period, we
17 hope to have the new methodology and criteria improved
18 through this contracting process so that when we have the
19 data information, the census information, that the Councils
20 can then make recommendation on rural/non-rural status in
21 their regions and the Board can then make final
22 determinations. So this is an early heads-up to the
23 Council about the process and the initiatives that's
24 underway in that regard.

25
26 CHAIRMAN LOHSE: So you're still working
27 on the scope of the contract. You haven't started to get
28 somebody in line before doing the contract yet?

29
30 MR. JENNINGS: Correct.

31
32 CHAIRMAN LOHSE: Any questions on that?
33 And that will have a direct impact on the Kenai question
34 won't it?

35
36 MR. JENNINGS: It will have impact, I mean,
37 it will be -- it's a statewide review so all communities
38 statewide will have the potential for being reviewed or
39 will be reviewed during that time period. There's, as
40 you're aware with the Kenai issue, there's threshold
41 population, thresholds in our regulations. And so,
42 communities that are under 2,500 people are presumed to be
43 rural. And so we don't really see that kind of threshold
44 changing at this time. So most of the communities
45 statewide, you know, a vast majority of them are small,
46 rural communities under 2,500. It's not expected that
47 anything is going to change in the status in their regard.
48 It'll be for those communities like you've mentioned on the
49 Kenai where there has been some discussion about rural
50 versus non-rural and we're hoping that this new methodology

00263

1 will help -- the improved methodology will help make a
2 better decision or at least in the eyes of folks have the
3 criteria be a little more solid.

4

5 CHAIRMAN LOHSE: Any questions on this?
6 Thank you, do you go on to the next one? Okay.

7

8 MR. JENNINGS: Mr. Chair, the next page is
9 a brief update with customary trade. Basically the update
10 is, we're still working on this issue. We're still working
11 on initiative to characterize practices by region. There's
12 still a desire of the Board to recognize the need to
13 further define significant commercial enterprise. And it's
14 the desire or the wish of the Board, as stated recently,
15 that they would like to try to address that significant
16 commercial enterprise issue before the next fishing season.
17 And so at this time what we're giving you the update on is
18 that staff continues to work -- I believe there's a new
19 committee that's being formed to work on this issue and
20 we'll continue to involve the Councils to make sure that we
21 are characterizing the practices on a regional basis.
22 That's what we had heard previously from the Council input
23 when we brought this issue before the Councils. Is that
24 they really -- each Council felt largely that it should be
25 regionalized because the practices were different around
26 the different regions of the state. And so that's the
27 update on customary trade.

28

29 CHAIRMAN LOHSE: Any questions for Tim on
30 that? Tim, I saw something in here that struck a note with
31 me. It reminded me of something that happened quite a few
32 years ago in my own life. Its says, part of the confusion
33 for the public relates to whether State or Federal
34 regulations prevail in any particular situation or
35 location. On Federal public lands and waters, our
36 solicitor's offices determine if the Federal regulations
37 will prevail. Adding to the difficulties for users in the
38 areas of mixed jurisdictions, individuals and law
39 enforcement personnel must know their exact location. I'm
40 just relating it to, oh, this is an incident probably 35
41 years ago in Minnesota. I went with a group of my friends
42 to the Red Lake Indian Reserve, which is Federal land. On
43 this Red Lake Indian Reserve, there was no limit for wall-
44 eyed pike. Off the Red Lake Indian Reserve, you were on
45 Minnesota land. Minnesota game wardens enforce Minnesota
46 state laws on state land. So it didn't matter that you
47 caught the wall-eyed pike on Federal land, which had no
48 limit, as soon as you took it across the border into State
49 land, you were in violation. And that's one of the things
50 that's going to have to be sorted out here. Because where

00264

1 Federal can allow customary and trade and barter, if the
2 State doesn't allow customary, trade and barter or the
3 selling of certain items and you cross over to State land
4 to make the transaction, it's a possibility that you're
5 going to be in violation.

6
7 MR. JENNINGS: That is part of the concern,
8 Mr. Chair. And in it, part of the desire to address the
9 issue from the Federal prospective.

10
11 CHAIRMAN LOHSE: Any other comments for Tim
12 on this? Have you got the next one?

13
14 MR. JENNINGS: Ann, did you want to do the
15 next one? It's the art contest or would you like me to
16 cover that?

17
18 CHAIRMAN LOHSE: Have you covered it with
19 our local teacher here?

20
21 MR. JENNINGS: Okay, if you'll turn the
22 page you'll see that there's an art contest that we're
23 sponsoring. It has to do with providing examples of
24 subsistence lifestyles in the form of art that we can use
25 in our Council booklets and other publications. There is a
26 typographic error on this first page, it includes grades K
27 through 12, not K through 6.

28
29 CHAIRMAN LOHSE: Oh, it's eight through 12,
30 not K through 6?

31
32 MR. JENNINGS: K.

33
34 CHAIRMAN LOHSE: K through 12.

35
36 MR. JENNINGS: K through 12. Kindergarten
37 through 12.

38
39 CHAIRMAN LOHSE: K through 12.

40
41 MR. JENNINGS: Right. And so all we're
42 bringing this to your attention is to -- as you go back to
43 your communities, if you would promote the contest with the
44 children in your communities, we would appreciate having
45 lots of good entries to consider. I believe that the
46 Council chairs will make the selection of the art.

47
48 CHAIRMAN LOHSE: Has the Fish and Wildlife
49 Service made an attempt to at least get a list of the
50 schools in the state and send information on this to every

00265

1 school in the state so that you're not depending on us?

2

3 MR. JENNINGS: It's just -- we're depending
4 on you as another avenue. We are sending this out through
5 other publicity sources. It's posted on our website and I
6 don't know if there's another initiative to contact schools
7 directly but it's just to bring it to your attention.

8

9 CHAIRMAN LOHSE: Yeah. And home schoolers
10 are allowed to enter it too?

11

12 (No audible response)

13

14 REPORTER: Was that a yes?

15

16 MR. JENNINGS: Say yes, yes. I nodded.
17 For the record, yes.

18

19 CHAIRMAN LOHSE: Okay, Tim, do you have the
20 migratory bird update?

21

22 MR. JENNINGS: Well, I don't believe
23 there's anyone else here from Fish and Wildlife Service
24 refuges or migratory bird office to address this issue so I
25 will give you a brief status on this as well. This is
26 under Tab I.

27

28 CHAIRMAN LOHSE: Now this is the first year
29 it actually took place and there was a season in place for
30 this year, wasn't it?

31

32 MR. JENNINGS: That I'm not sure of.
33 You'll recall that -- maybe somebody else here knows about
34 that.

35

36 (Whispered conversations)

37

38 CHAIRMAN LOHSE: Spring of 2002, not 2001.

39

40 MR. JENNINGS: Yeah, the treaty has been
41 passed and Jerry's informed me that they're still working
42 on the regulations. And if you look on Page 2, it lays out
43 how we will proceed. The reason why we're giving the
44 Councils this update is you may recall that one of the
45 options that was considered was to use the Regional Council
46 system for the management bodies and the regional director
47 of the Fish and Wildlife Service, they made a
48 recommendation to go a different route. So it's not going
49 to go through the Regional Councils. And so we wanted to
50 bring you back with that update.

00266

1 CHAIRMAN LOHSE: I think if I remember
2 right, our Regional Council and a couple of the other ones
3 objected to that too -- pretty highly.

4
5 MR. JENNINGS: So I'm not an expert in this
6 arena, Mr. Chair, on the migratory bird management bodies
7 but the update is before you. It was provided by our
8 migratory bird people. If you have questions after you've
9 reviewed the material, we can provide some follow-up with
10 you in that regard.

11
12 CHAIRMAN LOHSE: And so lead shot is not
13 allowed in that one either. It says primary enforcement
14 effort is insuring that lead shot is not used. In other
15 words, not seasons, not bag limits, not anything -- just
16 that lead shot is not used. Okay, now are you -- that's
17 all for you Tim?

18
19 MR. JENNINGS: That's it.

20
21 CHAIRMAN LOHSE: Okay.

22
23 MR. JENNINGS: Thank you, Mr. Chair.

24
25 CHAIRMAN LOHSE: Thank you. That was a lot
26 you covered and -- did I lose the agenda? Okay, U.S.
27 Bureau of Land Management, Glennallen.

28
29 MR. WATERS: Good afternoon, Mr. Chair,
30 Council members. I'll try to keep this brief, get us back
31 on track because I know everybody wants to leave today.
32 The handout I've given you, I'll put extras up front if
33 anybody in the audience wants one. For the record, my name
34 is Elijah Waters, BLM, Glennallen. What you have in front
35 of you is a rundown of the subsistence permits that have
36 been issued to date for the moose and caribou. This was
37 updated as of Monday. I'm sorry I don't have enough for
38 everybody you can -- if you'd like one, take one. As you
39 can see, we're pretty much on track as far as numbers go.
40 There was a lot of concern this year that with the State
41 reducing the number of tags that there might be an increase
42 but we're pretty much on track with what we have
43 traditionally given since 1990.

44
45 I want to point out that the caribou season will
46 continue through March 31st so those numbers will go up.
47 This year, for the first time, we didn't go to Delta
48 Junction but we did make permits available through the
49 Fairbanks office. And about half of the 20(D) permits have
50 been issued through the Fairbanks office. I would also

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1 like to point out that there was a congressional inquiry on
2 why we didn't go to Delta Junction. That's been answered
3 and we haven't heard back so I guess it was adequate. Page
4 2, I just put the previous year's permits and harvest data
5 in. Just again, just to point out that we're pretty much
6 on track, you know, we're within the average numbers that
7 we typically issue through the Glennallen office. I would
8 like to point out also that it looks like, at least on the
9 caribou, since Delta Junction has been added to that hunt,
10 those numbers have went up slightly. Not a lot, but
11 slightly -- on the harvest, that is. This year all of the
12 Federal hunt areas were marked on the highways and that was
13 change in the past. Those signs sometimes get ripped down,
14 moved, shot up -- all of that kind of thing. Those were
15 replaced this year.

16
17 Also, a law enforcement ranger has been selected.
18 He was supposed to have reported but there's been a hold up
19 because background -- his security clearance or background
20 check had expired and we're waiting on that. He should be
21 here sometime during this season. I do want to make that
22 clear, but you know how that goes -- it's out of our hands.
23 And finally, I just want to point out that since I am here
24 full time, that there is a lot of hunt monitoring going on.
25 I'm doing, you know, I try to get up and do aerial flights
26 once a week, which doesn't always happen because of
27 weather, pilot availability. And then when I can't, I get
28 up and do some -- a lot of monitoring of that by vehicle,
29 by snow machine when the snow's out there. And these
30 surveys have several purposes, one to look at the
31 availability and vulnerability of the animals. The land,
32 at least that the BLM manages, a lot of that land is not
33 readily accessible unless you have the toys to get there --
34 snow machines, four wheelers, airplanes, boats. Yeah, I'm
35 looking at the distribution of people on those lands and
36 the distribution of animals on those lands.

37
38 Also, a big thing I'm trying to do is gain
39 information on animals that we don't give tags for. You
40 know, we give tags for caribou and moose but there's 24
41 other species that have Federal regulations and we don't
42 really know a lot of information about it. So, so far,
43 I've been finding out about several traplines that are on
44 Federal lands and also some ptarmigan hunters. So that's
45 an ongoing thing. If you have any special concerns you'd
46 like for me to look at, bring it to my attention, I'd be
47 glad to.

48
49 This concludes my report and I'll answer any
50 questions.

00268

1 MR. DEMENTI: So you say this Norton field
2 office will closed next year?

3

4 MR. WATERS: No. No, I'm sorry. No, I
5 said they issued tags for the first time this year just for
6 20(D) residents. Just for Delta Junction residents.

7

8 MR. DEMENTI: Oh, okay, because.....

9

10 MR. WATERS: They volunteered to do that.
11 They didn't volunteer to do it next year. That's something
12 that we'll evaluate at the end of the year to see how many
13 they issued. See if they're willing to do that again next
14 year. Personally, I would rather keep it all in Glennallen.
15 It just makes it easier because it just -- you get to know
16 the people. We have had somewhat of an increase of people
17 trying to get tags who weren't eligible and if it's all
18 coming through one office, it makes that a little bit
19 easier to track down and to monitor that. Any other
20 questions?

21

22 CHAIRMAN LOHSE: Any questions for Elijah?
23 Thank you.

24

25 MR. WATERS: If you have any other
26 questions later, I'll be around at till the end of the
27 meeting.

28

29 CHAIRMAN LOHSE: Alaska Division of Fish
30 and Game -- Department of Fish and Game, Subsistence
31 Division.

32

33 MR. SIMEONE: Mr. Chairman, members of the
34 Board, my name is Bill Simeone. I work for the Alaska
35 Department of Fish and Game, Division of Subsistence and I
36 wanted to update you on two projects that the subsistence
37 division is doing within the Southcentral Region. And one
38 of them is to update community profiles of resident zoned
39 communities around Mt. McKinley National Park. And last
40 April, we started that project by doing a harvest survey
41 and collecting information on lifetime area uses in
42 Cantwell. That project is ongoing and we're going to
43 conduct some more information -- or conduct some more
44 interviews about historical uses of Mt. McKinley National
45 Park.

46

47 And then the other project that we have is the
48 Copper River Subsistence Fishing Evaluation 2000, which is
49 described as Project 40 under Tab H in your book. And in
50 that project we're going to address three issues or we've

00269

1 addressed three issues. We're documenting the traditional
2 ecological knowledge of Ahtna elders and we are going to
3 document the potential changes in the fishery in light of
4 the new regulations passed by the Board of Fish in
5 December. In other words, making the dipnet fishery a
6 subsistence fishery and we're looking at the current trends
7 and characteristics of the subsistence fishery -- the fish
8 wheel subsistence fishery. To work with Ahtna elders,
9 we've hired a linguist named Dr. James Carey and we've
10 conducted about 10 interviews with Ahtna elders all up and
11 down the river. And we've also done a survey with about
12 500 dipnetters and fish wheel users along the river,
13 looking at their characteristics -- where they come from,
14 how much money they make, how many fish they think they
15 need -- basic information. And that, hopefully, will be
16 available sometime at the end of this year -- the
17 preliminary data. So, are there any questions?

18
19 CHAIRMAN LOHSE: Yeah, I've got a question.
20 It says participation for both fisheries will be the lowest
21 since 1996. Current participation level in the Glennallen
22 District is the highest on record. Where the Chitina
23 Subdistrict is approximately 1,500 permits less than the
24 three year average. Do you think that was because of the
25 increase in the fee?

26
27 MR. SIMEONE: Partly, I think that's partly
28 it and partly also the restriction that they reduced them
29 to one chinook.

30
31 CHAIRMAN LOHSE: Oh, okay. From what I
32 heard, a lot of the dipnetters didn't worry about that
33 reduction to one chinook because it was pretty easy to
34 catch one and give it to somebody else and catch another
35 one and give it somebody else and catch another one and
36 give it to somebody else. That's kind of what I heard is
37 going on down there. That's antidotal evidence and that
38 was reported by somebody that was there watching but it
39 didn't -- in other words, it didn't reduce the amount of
40 chinook caught, it just reduced the amount of chinook that
41 one individual could take home.

42
43 MR. SIMEONE: That's right, yeah.

44
45 CHAIRMAN LOHSE: Is there a lot of -- I
46 know when I talk to my local friends up there, most of them
47 would rather eat sockeyes than chinook. Is there a lot of
48 effort -- I mean, is it -- I'm not talking upper
49 subsistence, I'm talking down in the Chitina State
50 subsistence. Do a lot of people go after the chinook just

00270

1 so they can say they caught a chinook or.....

2

3 MR. SIMEONE: Apparently so, that fish has
4 become a targeted entity.

5

6 CHAIRMAN LOHSE: So they're targeting the
7 chinook not because it's the best eating one but because
8 they want to be able to say they got a chinook.

9

10 MR. SIMEONE: Well, I don't know why
11 they're targeting them but it appears that they are
12 targeting it, yes. That's changed in terms of the emphasis
13 of the fishery, yeah.

14

15 CHAIRMAN LOHSE: A lot of that's changed
16 with the addition of boats into the fishery so they can be
17 in the center of the river.

18

19 MR. SIMEONE: Uh-huh, yeah.

20

21 CHAIRMAN LOHSE: Other than that, I don't
22 have anything to ask you on it. I don't want to sound like
23 I'm a complainer or anything like that, but -- Bruce, would
24 you like to ask him a question?

25

26 MR. CAIN: On page 2 of your report.....

27

28 REPORTER: Can't hear you, Bruce, I'm
29 sorry.

30

31 CHAIRMAN LOHSE: You have to come up to the
32 mike.

33

34 MR. CAIN: I'm looking at page 2 of your
35 report, it says, 7,941 permits issued in Glennallen
36 Subdistrict and the five year average is 991. Is that a
37 typo or is that.....

38

39 MR. SIMEONE: No, no, that's not my report,
40 first of all.

41

42 MR. CAIN: Oh, okay.

43

44 MR. SIMEONE: I'm not sure what that
45 relates to.

46

47 MR. CAIN: It's on the State of Alaska
48 letterhead.

49

50 MR. TAUBE: I can answer that.

00271

1 MR. SIMEONE: That's Tom's

2

3 MR. CAIN: Okay, never mind. I'll wait and
4 do it at the right time.

5

6 CHAIRMAN LOHSE: Was there a mistake or
7 what?

8

9 MR. SIMEONE: No, that's Tom's report and
10 he can explain that.

11

12 CHAIRMAN LOHSE: Okay, Tom?

13

14 MR. TAUBE: Yeah, the section that -- I
15 guess I'll introduce myself. I'm Tom Taube, I'm the area
16 fisheries biologist out of the Glennallen office
17 responsible for the Glennallen and Chitina Subdistrict
18 subsistence fisheries. The portion that Bruce is talking
19 to is under Tab J. The table on Page 2, Table 1, those
20 numbers are reversed, there's a typo there. The 1245
21 should be under the Glennallen Subdistrict and the 7941
22 should be under the Chitina Subdistrict. And actually,
23 just to update those numbers, as of last Friday, we were at
24 8,111 permits issued for the Chitina Subdistrict and 1,275
25 issued for the Glennallen Subdistrict.

26

27 CHAIRMAN LOHSE: Okay, I see what you're
28 talking about, yeah. Well now, how come when it says five
29 year average, the five year average drops from 7,941 down
30 to 991?

31

32 MR. TAUBE: The five year average is
33 actually 8,598 for that corresponding number. Those -- the
34 1,240.....

35

36 CHAIRMAN LOHSE: Oh, okay. I got it.

37

38 MR. TAUBE:those numbers need to be
39 reversed.

40

41 CHAIRMAN LOHSE: Those numbers stay where
42 they belong and we raise the 1,200 to the top line.

43

44 MR. TAUBE: That's correct.

45

46 CHAIRMAN LOHSE: We drop the 7,000 to the
47 bottom line and those numbers -- it's not the whole thing
48 that's.....

49

50 MR. TAUBE: No, no. Just those individual

00272

1 numbers.

2

3

CHAIRMAN LOHSE: Okay, gotcha.

4

5

MR. TAUBE: And as I said, for the Chitina
6 it's 8,000 or 8,100 roughly and almost 1,300 now for the
7 Glennallen Subdistrict.

8

9

CHAIRMAN LOHSE: Yeah.

10

11

MR. TAUBE: And as Bill reported, you know,
12 our belief is that the reduction in the Chitina Subdistrict
13 is partly due to the, you know, the fee increase and also
14 the reduction from four to one for chinook. Another,
15 probably, reasoning for that is also the low sonar numbers
16 early on. People just didn't feel it was worthwhile to
17 come up there and participate if there weren't enough fish
18 passing by. We did see -- I do have some numbers here that
19 you can add into the Table 2 for 2000 which I didn't have
20 at the time I sent this in. For 2000 in the Glennallen
21 Subdistrict, 29 percent of the permits were from the Copper
22 River Basin, 30 percent from Anchorage, 15 percent from
23 Fairbanks, 11 percent from the Mat-Su and 15 percent from
24 other communities. In the Chitina Subdistrict, 1 percent
25 from the Copper River Basin, 36 percent from Anchorage, 35
26 percent from Fairbanks and 17 percent from the Mat-Su and
27 11 percent from other communities. As you can see, our
28 actual percentage of Copper Basin participants in this has
29 dropped, you know, over 10 percent from previous years.
30 And the actual number last year, for example, we issued 408
31 permits to Copper Basin residents and this year was 360. I
32 don't know why that dropped down. There's real -- no
33 reasonable explanation for why we saw that decline.

34

35

CHAIRMAN LOHSE: Can you give me the
36 percentages again on that first -- for the Glennallen?

37

38

MR. TAUBE: Yes, it was 29 percent.....

39

40

CHAIRMAN LOHSE: Twenty-nine, okay.

41

42

MR. TAUBE:for Copper River, 30 for
43 Anchorage, 15 for Fairbanks, 11 for Mat-Su and 15 percent
44 for other communities.

45

46

CHAIRMAN LOHSE: So what you see is, you
47 see a drop in the Fairbanks and the Chitina Subdistrict but
48 you see them moving to the Glennallen Subdistrict.

49

50

MR. TAUBE: That's correct.

00273

1 CHAIRMAN LOHSE: You see an increase in the
2 Chitina Subdistrict from Anchorage and an increase in the
3 Glennallen Subdistrict. And the same way with the Mat-Su.
4 So it looks like the Anchorage and Mat-Su is making more
5 use of it than they did before.

6
7 MR. TAUBE: At least for this year, yes.
8 Yeah. For any harvest information, we won't have that
9 until later on this year. The reporting requirement, for
10 at least particularly the Chitina Subdistrict, had been --
11 after each fishing trip you needed to turn your permit in.
12 This year that had been changed to at the end of the
13 season. So we only have about 10 percent of the permits
14 returned back. We have about 20 percent back for the
15 Glennallen Subdistricts. If we have entered that harvest
16 numbers in. Right now we're at about 17,000 fish harvested
17 by the Glennallen Subdistrict with 20 percent of the
18 permits turned in. I expect it will probably be at around
19 75,000 fish harvested by the Glennallen and I expect with
20 the Chitina Subdistrict, with our decline in participation,
21 it'll probably only be about 100,000 fish taken in there.
22 Even though you said, I heard the rumor that the fish were
23 being passed around with chinook also. Just the fact that
24 people couldn't keep four, with one we still anticipate a
25 reduced harvest of chinook in the Chitina Subdistrict.

26
27 CHAIRMAN LOHSE: Thank you. Any questions
28 for him? Thank you. Bruce, do you have a question?

29
30 MR. CAIN: Now I'm just curious on a couple
31 numbers. We're looking at the Glennallen Subdistrict
32 permits. You're saying 1275 is the number that you've got
33 right now. That's a 285 increase over the average -- what
34 was it over last year? Do you.....

35
36 MR. TAUBE: Over last.....

37
38 MR. CAIN: The change from last year in the
39 Glennallen Subdistrict permits.

40
41 MR. TAUBE: Last year the 1999 numbers were
42 1,102 or 1102 so we're looking at about a 175 increase.

43
44 MR. CAIN: Okay, so there's 175 permits
45 increased and the Glennallen or the Copper Basin permits
46 went down by 32 so we're actually seeing an increase of
47 over 200 permits from outside the Copper Basin in the
48 Glennallen Subdistrict. Those mostly fish wheels or what
49 was the makeup?

50

00274

1 MR. TAUBE: I don't have the exact
2 breakdown on that but I expect that -- well we're seeing
3 the increases in the dipnet permits, not the fish wheel
4 permits. We have seen an increase of -- particularly with
5 the increase of boats in there. I think what we saw were a
6 lot of people with boats moving up above the bridge and
7 just drifting up there because when we do issue Glennallen
8 permits, we tell people that access is limited and they're
9 pretty much restricted to just above the bridge. And so
10 there were -- you see a lot of boats coming in there. Most
11 of the times I was down there this season, there was
12 generally one or two boats drifting up above the bridge.
13

14 MR. CAIN: Okay, just an observation that I
15 made in Silver Springs where I use a fish wheel. There
16 were four fish wheels there this year and last year there
17 was only one. So there's a four-fold increase there in
18 that area. And I'm just curious as to -- and what was the --
19 do you have any idea of what the total number of increase
20 in fish wheels or change in fish wheels was for this year?
21

22 MR. TAUBE: I haven't been able to work up
23 those numbers yet. Generally, our number of permits are
24 around -- fish wheel, registered fish wheels -- are around
25 120 to 150.
26

27 MR. CAIN: Okay, at least the people that
28 were running those new wheels were all from Anchorage. And
29 I guess what I'm concerned about here is what I stated
30 before, is that we're seeing a larger, maybe a shift from
31 the Chitina Subdistrict into the Glennallen Subdistrict or
32 just a general increase in the number of fish wheels being
33 used on the Copper River by non-rural residents. And I
34 think that's a lot more significant of a problem,
35 especially if you're estimating a 75,000 fish harvest in
36 the Glennallen Subdistrict. That's a lot -- that's a
37 pretty big jump especially when you consider that the rest
38 of the system had a -- at least in the Cordova area we were
39 being told it was close to a crisis situation in the run.
40

41 MR. TAUBE: We may have seen a -- actually
42 it was probably a slight decline from last year in total
43 harvest. Until I get those numbers, I can't answer that
44 specifically, what type of reduction. Last year we took
45 over 85,000 fish in the Glennallen Subdistrict. We did see
46 a reduction of about 50,000 fish in the Chitina harvest
47 this year if it ends up being 100,000. But again, I won't
48 have those numbers probably until November or December.
49 You know, there were times when the -- the Glennallen
50 Subdistrict is open by regulation June 1st and runs through

00275

1 September 30th. The Chitina Subdistrict was only open, by
2 regulation, used to open between June 1st and June 11th.
3 It was opened on the 10th of June and it was only for a 12
4 hour opening and then the next two or three openings were
5 reduced until we had sonar numbers when we opened it up
6 continuously.

7

8 MR. CAIN: Okay, well I don't have any
9 other questions. Just my big concern is the, you know, the
10 rural preference on the fish wheels. It needs to be
11 addressed or looked at and I think the numbers are
12 available to see just what's going on and I hope that the
13 Board or the Federal subsistence division, whoever that is,
14 deals with it.

15

16 CHAIRMAN LOHSE: Thank you, Bruce. Thank
17 you for the information. I had thought of one more thing
18 that I was going to ask you. So basically the last two
19 years have been above the historical average for catch.
20 Above -- in the Glennallen Subdistrict but there's been,
21 looks to me like almost a 33 percent increase in permits in
22 the last two years above the -- you know, in the Glennallen
23 Subdistrict. When -- like if somebody from Anchorage puts
24 a wheel in the river, that does not necessarily mean that
25 you've got one more person using a fish wheel, does it?
26 They can put a wheel in it, use it till they catch their
27 fish, transfer that wheel to somebody else and transfer the
28 wheel to somebody else until the season is over, can't
29 they?

30

31 MR. TAUBE: That's correct, yes. There's
32 one registered owner of the wheel under our management.....

33

34 CHAIRMAN LOHSE: There's one registered
35 owner.

36

37 MR. TAUBE:but any unlimited number
38 of people can use that wheel. You know, as long as they
39 come to the office, get a permit and have the permission of
40 the registered owner to use that wheel.

41

42 CHAIRMAN LOHSE: So one wheel from
43 Anchorage or something could increase the catch quite
44 drastically if -- is there the -- I don't know how to put
45 this but, is there the possibility that somebody from there
46 could put a wheel in and then basically lease that wheel
47 out to people from Anchorage to come up on the weekend and
48 use the wheel?

49

50 MR. TAUBE: They can't collect any money

00276

1 for the use of the wheel. That s against State
2 regulations. They can have someone, you know, allow them
3 to use the wheel but they, per say, couldn t lease it for
4 any monetary amount.

5

6 CHAIRMAN LOHSE: Thank you. Any other
7 questions for him? Okay. National Park Service -- no,
8 fisheries update -- Tom, that was you right?

9

10 MR. TAUBE: And Ellen.

11

12 CHAIRMAN LOHSE: And Ellen now. The
13 commercial fisheries update.

14

15 MS. SIMPSON: Yeah, my name is Ellen
16 Simpson and I work for the commercial fisheries division in
17 Anchorage. In the last couple years, in the fall, I ve been
18 giving you kind of a quick update on the commercial fishing
19 in the central region. And this year in the central region
20 it really looked like a mixed bag. Upper Cook Inlet and
21 Lower Cook Inlet, the sockeye returns came in below
22 forecast. And in Upper Cook Inlet, the harvest of 1.3
23 million was the second lowest since 1979 and garnered the
24 lowest ex-vessel value since 1975. However, we achieved
25 all our escapement goals except for one, which was Big Lake
26 or Fish Creek in Upper Cook Inlet. That is the third year
27 that for some reason, we haven t been able to achieve our
28 escapement goal there. And in Lower Cook Inlet, even
29 though the Tutka hatchery pinks came in below forecast, the
30 hatchery was able to achieve their brood stock goal.

31

32 In Prince William Sound though, the situation was
33 somewhat different. They re having almost, you know, all
34 of their pink and chum returns were above forecast and
35 quite good. And they achieved all of their escapement
36 goals except for the northern district and I think that s
37 pretty close. For some reason the tail end of that return,
38 of those runs, just didn t materialize as expected. And
39 the sockeye escapement at Eshamy Lake fell short by about
40 10,000 fish. The sockeye catch in the Copper River
41 district was average this year and the Gulkana hatchery
42 return was below forecast. And that caused the Department
43 to re-evaluate their in-season Copper River goal past the
44 Miles Lake sonar.

45

46 Does anyone have any questions?

47

48 CHAIRMAN LOHSE: Well could you clarify
49 that last statement that you made?

50

00277

1 MS. SIMPSON: Well, near the end of the
2 season.....

3
4 CHAIRMAN LOHSE: About the re-evaluating
5 the escapement goal.

6
7 MS. SIMPSON: The in-season goal past the
8 Miles Lake sonar. Since the Gulkana hatchery.....

9
10 CHAIRMAN LOHSE: Makes up a large component
11 of that goal.

12
13 MS. SIMPSON: Right -- but what s
14 classified as hatchery excess.

15
16 CHAIRMAN LOHSE: Okay.

17
18 MS. SIMPSON: And the hatchery excess is
19 built in the Miles Lake goal so that we don t over
20 exploit.....

21
22 CHAIRMAN LOHSE: Wild stock.

23
24 MS. SIMPSON:wild stocks. And since
25 the hatchery component of the return was below
26 forecast.....

27
28 CHAIRMAN LOHSE: Well, it was a smaller
29 percentage.

30
31 MS. SIMPSON: There was a smaller
32 percentage that were hatchery fish going past the sonar.

33
34 CHAIRMAN LOHSE: Okay. So that would
35 change the overall goal to smaller because you d have less
36 hatchery access.

37
38 MS. SIMPSON: That s exactly right.

39
40 CHAIRMAN LOHSE: Okay, that explains that
41 for me then. Any questions for Ellen? Thank you.

42
43 Devi? You ve been up and down like a yo-yo this
44 meeting.

45
46 MS. SHARP: I tried to get Hollis to go
47 first. Devi Sharp, Wrangell-St. Elias. The Wrangell-St.
48 Elias Subsistence Resource Commission will meet in Yakatat
49 November 2nd and 3rd -- everyone is invited to come to
50 rainy Yakatat. If you would like details.....

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1 CHAIRMAN LOHSE: It s sunshiny down there.

2

3 MS. SHARP: It probably is. Please ask and
4 we ll give you details. I would like to inform the
5 Regional Advisory Council as well as the rest of the
6 audience of some subsistence staff changes in the park.
7 Heather Yates, our former subsistence specialist will
8 continue her interest in subsistence but is currently at
9 the law enforcement academy and will be a law enforcement
10 ranger with a strong emphasis on subsistence resource
11 monitoring and she will not be a stranger. She s in
12 Georgia right now. To fill that void, we re going to hire
13 a cultural anthropologist/subsistence specialist. If
14 anybody has any likely candidates, I d love to hear about
15 it. I anticipate moving on this pretty quickly and keeping
16 the position -- the announcement open for at least a month
17 if not more to allow for good recruitment.

18

19 CHAIRMAN LOHSE: And you re looking for
20 local hire, if possible?

21

22 MS. SHARP: What s that?

23

24 CHAIRMAN LOHSE: You re looking for local
25 hire, if possible?

26

27 MS. SHARP: Local hire would be great.
28 Someone who knows subsistence and has the roots and
29 grounding in Alaskan subsistence would be wonderful.
30 That s my goal.

31

32 Qualified Federal subsistence users for Wrangell-
33 St. Elias can now hunt migratory birds, ducks, in
34 accordance with the State season and bag limits. That s a
35 request to change a regulation that the Wrangell-St. Elias
36 SRC has been tracking for -- proposed several years ago --
37 has been tracking or quite a while and finally made it
38 through the various layers of the solicitor s office and
39 has been decided that it s appropriate for the park to
40 grant that subsistence activity.

41

42 CHAIRMAN LOHSE: Now, question.

43

44 MS. SHARP: Yeah.

45

46 CHAIRMAN LOHSE: Has that always been
47 available in the park preserve?

48

49 MS. SHARP: Has it always been available in
50 the preserve?

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1 CHAIRMAN LOHSE: In the park -- national
2 park preserve. Duck hunting has always been.....

3
4 MS. SHARP: In the preserve.

5
6 CHAIRMAN LOHSE: It s been okay. Now it s
7 in the -- what your talking when you say the park, you mean
8 the hard park?

9
10 MS. SHARP: Right. That s.....

11
12 CHAIRMAN LOHSE: Okay.

13
14 MS. SHARP: My legal counsel's -- okay, we
15 do have some concerns about this because it introduces a
16 new activity into the park. And park staff have some
17 concerns about, for example, a lake that s right on the
18 road in the hard park that people in the fall very often go
19 to to watch ducks. So we need to monitor the interaction
20 between hunter and other visitors. And we also are
21 concerned about increased use on ATV trails. It s a -- we
22 don t need the increased use. So it s something that we
23 clearly have to watch and make some sort of monitoring plan
24 and schedule to understand how it s effecting park
25 resources and park visitors.

26
27 Due to a hunting regulation change last -- passed
28 by the board last May, the Federal Subsistence Board
29 decided that all Federal subsistence moose hunting in
30 Wrangell-St. Elias, includes Unit 11, 12 and that little
31 portion of 13(C), need to get a Federal registration
32 permit. And quite honestly, it pretty much shocked us that
33 all of a sudden we had an additional 200 permits to give
34 out. And we were concerned about the impacts on
35 subsistence users. And not having - well, we finished up
36 the year but not having looked at all the results, all in
37 all I d say I m pretty happy doing the extra work. And it
38 has been a lot of extra work for the park staff but it has
39 enabled us to understand who s using the park, where
40 they re being successful and we ve weeded out a few people
41 who probably would have slipped through otherwise. And we
42 recognized that we needed to go out to Kennicott and
43 McCarthy and some of the other villages where people may
44 even -- the ones on the road may not get out very much.

45
46 CHAIRMAN LOHSE: Don t even know that they
47 need a permit.

48
49 MS. SHARP: And we put it on the radio and,
50 you know, we try to talk it up. So we recognize we need to

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1 do a better idea so we can accommodate our subsistence
2 users and keep them within the regulations. That s our
3 goal.

4

5 CHAIRMAN LOHSE: Now when you say inside
6 the park, is that inside the park boundaries on State land
7 and private land and Federal land or is that inside the
8 park boundaries on Federal land?

9

10 MS. SHARP: Inside the park and preserve
11 for Federal regulations. Now when you go into the next
12 layer in, you know, private land -- in there, I don t know.
13 State? Yeah, and if it s selected it s considered public
14 and if it s conveyed, you shouldn t be there.

15

16 CHAIRMAN LOHSE: Okay.

17

18 MS. SHARP: The Wrangell-St. Elias
19 Subsistence Resource Commission has been working through
20 the addition of five villages -- five communities into our
21 resident zoned communities and we have made the next step.
22 It s been a long, painful process. The proposed
23 regulations have made it out of the Washington office. The
24 regional director will be signing them or has signed it
25 this week. Then it goes into the Federal register for a 60
26 day comment period and if there s no significant comments,
27 no need to change the regulations, then it goes back into
28 the regulations as the final. So the first round is
29 proposed rule, the second round it s final rule. Which is
30 actually a great improvement over the last report.

31

32 And finally, we have been successful in formalizing
33 one government to government relationship with the native
34 villages and we have a formal government to government
35 relationship with the village of Chistochina. And that
36 only gives us 11 more to go. And I d like Eric to come up
37 and talk about fisheries in the park.

38

39 CHAIRMAN LOHSE: Thank you.

40

41 MS. SHARP: Any questions?

42

43 CHAIRMAN LOHSE: Any questions for Devi?

44

45 MR. F. JOHN, JR.: Yeah. You got that
46 subsistence/anthropologist -- it s a new position for you
47 guys and what would, mostly, the job consist of because I
48 want to follow with a question?

49

50 MS. SHARP: The job would consist of

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1 managing the Wrangell-St. Elias subsistence program. So in
2 a few years, you won't see me. That person would be doing
3 some of the C&T issues that we've talked about today.
4 Particularly important are the fisheries issues because we
5 have the opportunity to do proper C&T now and keep ahead of
6 the curve. I personally would like to see us take one
7 village and do all species and figure out what each village
8 and community used and where they used it. And when they
9 used it. And get the who, what, when, where -- all that
10 done for each community by community so that we're not
11 constantly having to go back and, you know, piecemeal the
12 C&T. That's my goal but we have a lot of communities. But
13 we could start.

14
15 MR. F. JOHN, JR.: I like that answer
16 because what I brought up is we've been throwing on C&T
17 like something that has no meaning, you know, and I kind of
18 would -- for C&T, you know, put something real solid on it.
19 That we just don't go down the road and say, hey, from Tok
20 to Canadian Highway, they all got C&T without even knowing
21 who's there, what's there. You know, there might be a
22 whole big village of people from Ukraine over there or some
23 other, you know, that we don't even know. And here we
24 throw C&T around like it's a, you know, it's a loose word
25 or something. It's not. For a native person, customary
26 means something way deep inside. When somebody kills a
27 moose in this village and they bring back the stomach or
28 the moose head and everything, the whole village is happy
29 for that person and we all gather around and celebrate. To
30 me, that has a deeper meaning than just throwing the word
31 around. That's why I like to really know.

32
33 MS. SHARP: Well, I think it's really
34 appropriate for us to have our subsistence specialist be in
35 the cultural leg because I look at subsistence from an
36 administrative point of view as having three legs. One is
37 natural -- the natural resource; one is the cultural
38 resource and the other is regulatory. And I think with the
39 existing park staff, we do well with the regulatory. We do
40 well with the natural but we could do a lot better in the
41 cultural. So I'm pretty hopeful that this will help us
42 move forward.

43
44 MR. F. JOHN, JR.: Thank you.

45
46 CHAIRMAN LOHSE: Thank you, Devi.

47
48 MR. VEACH: Mr. Chairman, Eric Veach from
49 Wrangell-St. Elias National Park. I just want to give you
50 just a real brief update on some of our ongoing projects

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1 and proposed projects. As I discussed earlier today, we
2 did operate a weir and not very successfully this year. We
3 did actually have the weir installed in Tanada Creek from
4 June 7th through June 10th. And June 10th, due to high
5 flows, it was washed out and we were unable to reinstall
6 it. And as of July 18th, we made the decision to stop
7 attempting to reinstall it. That decision was based on the
8 fact that in one of the years past when it had been
9 operated by July 18th, the entire run had passed beyond
10 that point -- by July 18th. So we just didn't feel that
11 our information would be that good even if we did get the
12 weir in at that point. The flow stayed high all summer, I
13 think that was a good decision that we made.

14
15 One thing that we did accomplish and manage to keep
16 are three local hires. All individuals hired from Slana,
17 employed for the rest of the summer working on fisheries
18 work. One of the things that they probably spent most of
19 their time on was designing a better weir for next year.
20 We're working on a sort of a floating weir which we're
21 hoping will be a little more versatile design for that
22 site. We'd like to continue to work at that site, it seems
23 to be a pretty good sign.

24
25 Another proposal that we've submitted for potential
26 funding for 2001, I mentioned earlier, it's a cooperative
27 project between the park and CRNA to try and evaluate
28 harvest that would occur outside the June 1st to the
29 September 30th season on the Copper River if Proposal 16 is
30 adopted by the Federal Board. And I won't go in any more
31 depth on that. I went over it yesterday. One point I did
32 want to make though, I got a lot of good advice about that
33 proposal after the session yesterday and if there are
34 several wheels operating on the Copper River, we'll try and
35 sample a little bit larger pool so that we have valid
36 numbers there.

37
38 I also cover the subsistence fisheries for the
39 Glacier Bay preserve and I've been working with several
40 groups down there on four different proposals addressing
41 the East Alsek River which flows into Dry Bay. We've been
42 working with the Yakutat Tlingit tribe, the Yakutat Quaan
43 (ph), the city and borough of Yakutat and the Dry Bay
44 Setnetter's Association. If you're not aware, there's been
45 quite a decline in the fisheries in the East Alsek over the
46 last probably four to seven years. One of the theories for the
47 cause of that decline is there's been a real increase in
48 the aquatic submerged vegetation in the stream. So one of
49 the proposals that we're putting forward is a TEK proposal
50 which I think is just fascinating. Traditionally there has

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1 been some habitat management performed in these streams
2 where tribal members would actually use long poles to stir
3 and clean the gravels and keep the vegetation kind of under
4 control. And this proposal would just attempt to document
5 that, which I find really fascinating.

6
7 A second proposal would be to install a staff gage
8 and collect some flow and water quality information in the
9 East Alsek to see if there s maybe been some changes in the
10 ground water over time. The third proposal would be to
11 pull together and just analyze existing information that we
12 have as far as harvest information, look at similar sockeye
13 runs in other drainages near by, see what the changes in
14 their populations have been. Look at ocean productivity,
15 look at precipitation -- just any information we can get
16 our hands on now to see if we can help kind of just narrow
17 down the question a little bit as to what s been going on
18 with that stock. And then the fourth proposal is a stock
19 assessment proposal which would involve operating an adult
20 weir and also a smolt weir and then performing red counts
21 in the stream. And then we also just want to kind of track
22 and see what happens with those reds. We would actually
23 monitor those reds throughout the summer and see if other
24 species are superimposing reds on top of them because they
25 want to avoid spawning where the aquatic vegetation is
26 pretty dense.

27
28 One other project we re going to be working on over
29 the next three years here that s not directly related to
30 subsistence but that I think will still be real valuable to
31 us as subsistence managers is a inventory project across,
32 actually our network of parks. So that ll be the Wrangell-
33 St. Elias National Park, Denali National Park and Yukon-
34 Charley Rivers Preserve. Just to inventory fresh water
35 fish species. Right now we have pretty good information on
36 our anadromous stocks, stocks that are certainly considered
37 game fish. But beyond that, we know very little
38 information about what fish species we have out there. So
39 this will be an attempt to inventory and figure out what
40 fish species we have and then also gather some relative
41 abundance and distribution information about those species
42 throughout those parks.

43
44 That s all I ve got for you. Does anyone have any
45 questions?

46
47 CHAIRMAN LOHSE: I don t have any questions
48 but I have a comment that it might be worth your while to --
49 in the early '60s, mid-'60s, I know that the Fish and Game
50 did a lot of test net fishing up in the Chitina Valley and,

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1 you know, longnose suckers and burbot and all that kind of
2 stuff. And it d be interesting to get a hold of that
3 information for a baseline, see what s changed and what
4 hasn t changed, you know. Because I can remember they had
5 the multiple size mesh nets that they were putting in the
6 lakes and putting under the ice to check the fish stocks
7 and various and sundry sort of lakes out there.

8

9 MR. VEACH: I appreciate that, we ll pursue
10 that information.

11

12 CHAIRMAN LOHSE: I m not sure -- maybe Tom
13 would know where you could go find that information.

14

15 MR. TAUBE: We ve already discussed it.

16

17 CHAIRMAN LOHSE: Oh, you already.....

18

19 MR. TAUBE: Yeah.

20

21 CHAIRMAN LOHSE: Okay, then I ll shut my
22 mouth. Okay, any other questions for him? Thank you.
23 Forest Service?

24

25 UNIDENTIFIED SPEAKER: (Indiscernible --
26 away from microphone).

27

28 CHAIRMAN LOHSE: Oh, he s not on the list
29 but I ll call him up. Sorry Forest Service, we ve got the
30 other park. I already gave you one more Devi, you were
31 only listed as one.

32

33 MS. SHARP: That s okay, we really
34 appreciated hearing Denali called the other park.

35

36 CHAIRMAN LOHSE: Well, it is the other
37 park.

38

39 MR. TWITCHELL: Thank you Chair and
40 Council. I m Hollis Twitchell with Denali National Park.
41 I have just a couple of items I wanted to talk to you, only
42 one of them requires an action on your part. That one is
43 regarding an appointment to Denali Subsistence Resource
44 Commission by this Council. And in your notebook on
45 Section J, the second page of that you ll find a letter
46 from the Denali Subsistence Resource Commission. And that
47 letter is bringing to the attention their appreciation of
48 Vernon Carlson and his contributions to the commission over
49 the last three years and suggesting to you that you would
50 consider him for reappointment to the Denali Subsistence

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1 Resource Commission. Of course appointments to the Denali --
2 to any subsistence resource commission by Councils, the
3 individual needs to be a subsistence user of that area and
4 also needs to serve on a local Fish and Game Advisory
5 Committee. So those are the two criterias that are in
6 place for appointees.

7
8 The situation in the Denali area was that the
9 Denali State Fish and Game Advisory Committee resigned at
10 their meeting this last winter. So right now the status of
11 that committee, the State s Fish and Game Advisory
12 Committee is uncertain as to whether it will be reorganized
13 and whether or not Vern will be reappointed to that. The
14 requirement doesn t limit the individuals just to be
15 members on State Fish and Game Advisory Committees. If
16 there are other committees -- Fish and Game Advisory
17 Committees, either through a tribal council or a native
18 association, then that certainly would put them in standing
19 as well. So that s something to consider. And I guess I
20 would open it to Gilbert, he had made some contact and he
21 had some clarification on Vernon s role and position within
22 the community.

23
24 MR. DEMENTI: Yeah, I got in contact with
25 Veronica Nicholas, she the president of the Cantwell
26 Village Council and she said Vernon is an alternate for the
27 Cantwell Village Council with CRNA and Ahtna. So he is on
28 a council. I mean he is on an alternate for an advisory.

29
30 CHAIRMAN LOHSE: And that s for advisory
31 for Fish and Game questions?

32
33 MR. DEMENTI: Yes, same as Gloria.

34
35 MR. TWITCHELL: Vernon is also a member of
36 the Cantwell tribe and is a very active member in the
37 community. He has been one of the leading contributors, is
38 very interested in resources and use of the area and has
39 contributed in a significant way over the last three years.
40 So from the Park Service standpoint, he brings a lot of
41 information forth and has been very effective. One of the
42 reasons the SRC is particularly interested in the Cantwell
43 area is because that s where a large percentage of our
44 subsistence users reside, in that particular community.
45 And because of that and the various issues that are facing
46 use in that area, the commission has in the past requested
47 that two people from the Cantwell area, through the
48 Southcentral Regional Advisory Council, would be appointed
49 to the Denali Subsistence Resource Commission. So there s
50 a very high level of cognizance upon the commission,

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1 realizing that the Cantwell area has a lot of issues that
2 they had to deal with and that was the reasoning why they
3 were looking for two representatives from that community.
4 Of course, the other member you know well is Gilbert who
5 also sits on the commission.

6

7 I don t know if you want to deal with that
8 particular appointment now or would you like me to
9 continue.

10

11 CHAIRMAN LOHSE: That s the next thing on
12 our agenda after the staff reports.

13

14 MR. TWITCHELL: Oh, okay.

15

16 CHAIRMAN LOHSE: We ll probably deal with
17 it then and if we need you we ll call you up for questions
18 on it at that point in time.

19

20 MR. TWITCHELL: Okay.

21

22 CHAIRMAN LOHSE: Do you have anything more
23 on how the moose hunting in Kantishna and the conflict in
24 the park and stuff like that? How s it going this year?

25

26 MR. TWITCHELL: That seems to have worked
27 itself out pretty well. We only get about three to four
28 people traveling through the old Mt. McKinley Park to
29 Kantishna. And they come through the entrance area and get
30 an access through the park road quarter out to Kantishna.
31 We have a temporary restriction on the discharging of
32 firearms for that first half of the moose season, September
33 1st to September 15th. And that applies only to one mile
34 either side of the road to the Kantishna airstrip. That s
35 not a subsistence closure, it s simply a firearms discharge
36 closure. So certainly harvest by bow and arrow, for
37 instance, in that earlier period would certainly be.....

38

39 CHAIRMAN LOHSE: Or they could walk a mile
40 off.

41

42 MR. TWITCHELL: Or they could walk a mile
43 off from that Kantishna road and hunt with a rifle beyond
44 that location. And it seems to be working fine so there
45 hasn t been any difficulties anyhow that I m aware of.

46

47 CHAIRMAN LOHSE: Do you have any
48 restrictions on when they drive back out? Can they have
49 their moose rack proudly displayed for all park visitors to
50 see?

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1 MR. TWITCHELL: Well, we usually request
2 them not to lay it across the front of their hood, but for
3 the most part that hasn't been an issue. The biggest
4 concern was when I was asked several years ago whether they
5 should put their moose through the front of the door or on
6 the rear of the door if they were riding the bus out to
7 Kantishna. That one was a hard one. So we would prefer
8 that they carry it in their own vehicle out of the area.

9
10 I just have a couple of other items just to mention
11 to you that Denali is a joint partner with Gates of the
12 Arctic and Yukon-Charley for sharing a fisheries biologist
13 representing those three areas. And we were able to bring
14 on an individual named Fred Anderson, he has a pretty
15 extensive career track and history in Alaska, all on the
16 Yukon River drainage. So we're very happy to enjoy his
17 expertise and his skill working with the communities and
18 the users along that drainage. So Fred is on board with us
19 now. Most of our fisheries resources and work occurs on
20 the north side of the range. And we have several projects
21 going this year through the fisheries program. We have a
22 recapture wheel operating on the Kantishna River, just
23 outside of our boundaries. Part of a joint project with
24 the state ComFish division where they're looking at chum
25 salmon on the Kantishna River drainage where they have a
26 capture wheel down at the confluence of the Kantishna and
27 Tanana Rivers.

28
29 And then the state operates two recapture wheels up
30 on the Toklat and then we're operating for them one on the
31 Kantishna. So those three recapture wheels are looking to
32 monitor fish that have been marked with floy tags from the
33 lower wheel to determine abundance and timing of run in
34 that information. So it's part of a two year project and
35 this is the first year for it. The second fisheries
36 project involves aerial surveys of tributaries primarily on
37 the north side of the Alaska Range, looking for abundance,
38 absence and where salmon are spawning and a relative counts
39 and indexing of what we're seeing there in those waters.
40 So we flew in midsummer for the king salmon and now we're
41 starting up next week, in the first week in October to do
42 the fall chum overflights.

43
44 There's a couple of other projects that are just
45 nearing completion and I mentioned these to you at your
46 last meeting in Kenai. We're expecting to very shortly see
47 the final report for ethnographical review and assessment
48 that's going on. As Bill Simeone mentioned, we're starting
49 looking at community profile updating in the Denali area to
50 try to get a fuller and more accurate representation of the

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1 long history of the community s uses rather than shorter
2 time periods and blocks which often are used when they ll
3 look at a community -- an area. And we also just have
4 completed our native place name mapping project as well.
5 So those cultural and subsistence studies, I think, will be
6 very beneficial and useful for us. The Denali Subsistence
7 Resource Commission is concerned that we as a park service
8 are not doing quite enough to get information out to the
9 public about cultural native peoples associated with Denali
10 and subsistence use.

11

12 They ve recommended that we produce a brochure -- a
13 subsistence brochure that s targeted towards the audience
14 of our visitors coming into the area so they have a better
15 understanding of local peoples and their use and
16 subsistence needs. And the first prototype of that was
17 presented to the commission, their meeting in August, and
18 we re hoping to get that out sometime this year as well.
19 The other part of their meeting in August dealt with
20 finalizing their subsistence management plan and they
21 responded to the comments that were received during the
22 comment period. So that plan is now complete with their
23 revisions that they ve made. And of course that s updated
24 annually and so it s an ongoing living document that
25 they re very, very much involved with.

26

27 And the last issue to mention was a significant
28 amount of that meeting was discussing a wolf buffer zone
29 issue associated with Denali. Where a proposal was made to
30 the Alaska Board of Game last year to create a buffer zone
31 outside of Denali for viewable wildlife where no state
32 hunting and trapping would be allowed. The state tabled
33 that motion and established a committee to look at the
34 issue. There was an individual who came forward and the
35 Alaska Wildlife Alliance at the meeting, asking for a
36 voluntary compliance by the Denali subsistence users not to
37 harvest within Denali National Park areas, wolf on that
38 north side, north-northeast sector. And after extensive
39 debate and presentation by biologists and others, the
40 Denali Commission passed a motion which states the Denali
41 Subsistence Resource Commission does not support the buffer
42 zone proposal for lands outside of Denali National Park nor
43 their request for subsistence buffer zones inside Denali
44 National Park east of the Toklat River and the east park
45 boundary.

46

47 And that was based on the biological information
48 presented to them at the meeting and also harvest
49 information and records in terms of subsistence users take.
50 So they ve taken a position on that. They don t feel that

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1 there is a biological threat to the wolf population in the
2 Denali area and that the subsistence, actual harvest take,
3 is very, very small. They are concerned about the wolf
4 population but their concerns are threats that are imposed
5 to wildlife populations including wolf from proposed new
6 roads, new railroads, possible developments and the
7 urbanization that tends to be occurring on that eastern
8 park highway quarter.

9

10 That s all I had to present to you and if you have
11 any questions, I ll try to answer them.

12 CHAIRMAN LOHSE: So their position was not
13 to support the buffer zone or limit subsistence take wolves
14 in the park.

15

16 MR. TWITCHELL: That s correct. They
17 cautioned in their recommendations for action outside of
18 the park areas since it s not their role directly to advise
19 the Board of Game particularly in terms of projects and
20 management outside of the boundaries. But based on the
21 information that was presented to them, they didn t believe
22 that they could support that proposal.

23

24 CHAIRMAN LOHSE: Okay, now the Forest
25 Service. You can tell it s the Forest Service by the
26 (indiscernible - rubbed against microphone)

27

28 MR. ZEMKE: No, these aren t a box of
29 pastries unfortunately. Good afternoon Mr. Chairman and
30 Council members. My name is Steve Zemke. I m the
31 subsistence coordinator for the Chugach National Forest in
32 the supervisor s office. I d also like to recognize Cal
33 Baker sitting over here in the corner. He s our Cordova
34 ranger district -- district ranger and also he s the in-
35 season manager for Prince William Sound and the Cook Inlet
36 area. What I ve got --handed out this package of material
37 today -- is basically three different items. One -- and
38 we ve been here a couple times before mentioning our forest
39 plan, it is currently now in a draft environmental impact
40 statement with a preferred draft alternative. It was
41 released September 15th and there s going to be a formal 90
42 day comment period with comments in by December 15th. And
43 then after that we would be looking at analyzing all the
44 comments, taking those comments and additional analysis and
45 coming through with a recommendation to a regional forester
46 for a final decision on a preferred alternative and forest
47 plan. And that would signed -- a decision actually by our
48 regional forester in the regional office, that would be
49 Rick Cables in Juneau.

50

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1 And what we have here, the kind of buffy colored
2 package, that s an executive summary of the draft
3 environmental -- actually, the draft environmental impact
4 statement but primarily the forest alternatives. There
5 were six action alternatives and then there was a preferred
6 alternative developed by a forest supervisor along with
7 what we call the no action alternative which was the
8 alternative that was based off our 1984 environmental
9 impact statement which is a current forest plan direction.
10 Also included in that package is the new -- to try to cut
11 down paperwork, we ve included a CD and within that CD is
12 basically this 15 pound box. That s the full hard copy of
13 the forest plan, the draft environmental impact statement,
14 the appendices and the maps. So all that s contained
15 within this compact disk which can be run on any kind of
16 Windows, like 3.0 platform. Most all PCS are Windows so
17 you should be able to look at that. If you can t, there s --
18 well, when you first open it up there s instructions on it
19 and if you have trouble, who to contact within the
20 supervisor s office. We ve brought several copies of the
21 full forest EIS and forest plan and if anybody really wants
22 one of the those, they can have it. I would advise you
23 probably don t unless you have a real specific need. Not
24 many people want to read 1,000 pages of something like
25 that.

26
27 The other two items I have here is what we call our
28 schedule of proposed actions and that s all kind of
29 upcoming projects on the forest, primarily focused on the
30 ranger districts. And those would include things like fish
31 habitat enhancement projects such as large woody debris
32 placement in streams within Montague Island where logging
33 back in the early 70's may have logged right to the stream
34 channel and now there s a lack of large woody debris. So
35 we d be proposing to put some material in and the analysis
36 of that would be -- they would done with it and also
37 environmental analysis. And there s a -- within this
38 package then is a listing of those projects, kind of a
39 schedule of when the environmental assessments are going to
40 done and then kind of a lead person for that within the
41 Forest Service with their name and number. So if there s
42 any interesting projects that you -- that Council members
43 would be interested in, there s a direct number who they
44 can talk to with the expert on that project.

45
46 The final piece of paper is another big
47 spreadsheet. If you look at -- it s 11 pages and it s the
48 current fiscal year 2001 list of subsistence management
49 projects. And unlike the Department of Interior, the
50 Forest Service agent is within the Department of

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1 Agriculture so we run things a little bit different. You
2 know, different bureaucracies and since we re in a
3 completely different agency within the Federal government,
4 we kind of run a little bit different. One of the major
5 things we would look at is we re trying to run an
6 integrated program where fish and wildlife and then what we
7 call special forest projects are included all within the
8 subsistence management program. So what we have here is a
9 listing of -- there s 33 different projects, first couple
10 of them are basically administrative overhead type and then
11 the other 31 are projects. Including in that are ones that
12 were previously listed such as the Coghill weir that was a
13 fiscal year 2000 project that was run through the
14 Southcentral Regional Advisory Council, it was on the
15 Federal Board it s approved and it s an ongoing project.
16 But it s also listed in this as an ongoing project for
17 fiscal year 2001. So in the time we have, we probably
18 don t have a significant amount of time to be able to look
19 at all 33. I don t know, we ll probably just take a look
20 at that, if there s anything of major interest, I d be able
21 to answer some of those questions.

22
23 On our forest plan, also on the back wall, I
24 basically have a draft preferred alternative map. It s got
25 a whole bunch of -- a series of colors but if anybody is
26 familiar with the Chugach National Forest area, the are to
27 the left -- kind of that buffy brown color -- that s the
28 Kenai Peninsula. There s a spruce bark beetle infestation
29 problem area and probably the major emphasis on that area
30 under the draft preferred alternative is for forest
31 restoration as well as protection of fish and wildlife
32 habitats. Probably another thing I should mention is that
33 subsistence uses and activities are maintained on all
34 portions of the Chugach National Forest, irregardless of
35 the management prescription or allocation for that area is.
36 So things like subsistence hunting and fishing are allowed
37 on every acre on the forest so there s no problem that way.
38 The other one is access for subsistence uses, are also
39 guaranteed on all acres. And those are kind of the two big
40 questions we had on subsistence for the forest. One, are
41 the uses protected and two are the access to those
42 resources also maintained. And the questions (sic) on both
43 of those were yes.

44
45 Kind of finally, the disposition of fish and
46 wildlife habitats looking at the alternatives. Primarily
47 they re either restoration or enhancement activities or
48 maintenance. And through the draft environmental analysis
49 it basically maintained that there is no significant impact
50 to fish and wildlife populations on the forest and so

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1 subsistence uses for those species used by subsistence
2 users are also maintained. So I guess the short answer
3 there is subsistence resources and uses are maintained with
4 the draft preferred alternative. The alternative was
5 developed through a community based process and I think
6 that s helped in making sure that subsistence uses have
7 been protected. Our forest supervisor has met with the --
8 examples, met with most of the communities, he s met with
9 the presidents of the village councils for Tatitlek and
10 Chenega Bay and the Kenaitze Indian tribe made several
11 attempts for the native village of Eyak and haven t been
12 real successful there though. Our district ranger has also
13 visited with the native village of Eyak also. So there s
14 been a collaborative effort to be able to develop -- come
15 to this preferred alternative process.

16
17 Kind of a final step in that is what -- we re
18 going through a process we call subsistence risk analysis
19 and that we had a meeting this week with some subsistence
20 users in the area to specifically show them the preferred
21 alternative and we ve taken a look at our subsistence use
22 area maps which came from the state community profile
23 database mapping efforts for the rural communities out in
24 Prince William Sound and Kenai Peninsula and Copper River
25 area. And what we ve gone through is develop some what
26 we re going to call hot spots where we think that, is there
27 a concern? Have we made an adequate analysis of the risk?
28 And then we re going to go back to the rural communities
29 again between now and December 15th and to discuss those
30 hot spots just to make sure that we have addressed all the
31 subsistence issues.

32
33 Probably the final thing I d like to say is that,
34 if you looked at the staff analysis you d see the Forest
35 Service serves nine positions and currently none of them
36 have been filled. I ve been recently hired into one of
37 those positions for -- of nine -- the Forest Service. And
38 we have currently developing outreach employment flyers for
39 four other positions on the forest. And just like
40 everybody else, if you have any available candidates that
41 you think would be interested in one of those positions,
42 you can contact us at the supervisor s office, it would be
43 helpful.

44
45 I know this is quite a bit of material and lots of
46 paperwork to be able to look at in a short period of time.
47 If there s any questions or if you d like more
48 clarification, I d be glad to answer those.

49

50 CHAIRMAN LOHSE: I have two real quick

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1 ones. SS here means spruce bark beetle, right?

2

3 MR. ZEMKE: Yes. One of the things on the
4 Kenai Peninsula if you looked it up in the map there,
5 there s some dark colors on the Kenai Peninsula, if those
6 all familiar, those are on the far left, kind of middle of
7 the map. And that one real dark linear line, that s the
8 road corridor going from around Girdwood/Anchorage down to
9 Seward. And then the one kind of dark spot on kind of the
10 northwestern corner, that s the area around communities of
11 Hope and Sunrise. And one of the major issues there was
12 the impact of the spruce bark beetle on the spruce forests
13 in the area. And then also the potential to develop some
14 small, kind of user based industries -- small logging
15 operations, thinning operations. That s where most of our
16 campgrounds -- probably safety hazards are also. And so
17 there was an emphasis on putting forest restoration
18 activities within those areas. And so that s why those
19 have been designated that way.

20

21 CHAIRMAN LOHSE: When you say no action,
22 that s basically the way it is now.

23

24 MR. ZEMKE: Yeah, even though that doesn t
25 mean we re not doing anything, it means that we re not
26 changing the action.

27

28 CHAIRMAN LOHSE: No, but then that's
29 basically the same categories as things are in at this
30 current time.

31

32 MR. ZEMKE: That s correct, Mr. Chairman.

33

34 CHAIRMAN LOHSE: And that puts 50 percent
35 in category one and two where the preferred action puts 96
36 percent in categories one and two.

37

38 MR. ZEMKE: Yes.

39

40 CHAIRMAN LOHSE: That s quite a major
41 change, isn t it?

42

43 MR. ZEMKE: The previous forest plan put --
44 the philosophy there was basically to allow uses to occur
45 if there was a need identified or an issue identified. And
46 all forest plans, they don t really recommend that they re
47 actually going to implement an action, they re just -- a
48 zoning document would allow activities. And so a large
49 amounts of those areas were in category three which would
50 allow for road building and forest harvest development

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1 activities. And looking at the issue statements where
2 people came in, there was a lot of those areas that didn't
3 make sense that there would be road building or forest
4 harvest or other developmental activities. And so rather
5 than putting them in an allowable category, we put them in
6 a lower category -- category one or we call category two
7 kind of low intensive use categories. And much of that was
8 on the basis of working with the local communities and
9 users to see what they had in mind -- what they would
10 desire. The area around Copper River Delta, there was
11 several different community based alternatives and the
12 preferred alternative is essentially an amalgam of those
13 community developed alternatives.

14
15 CHAIRMAN LOHSE: In another place does it
16 tell us who or what groups or whatever it is came up with
17 the different -- like Alternative A, Alternative B,
18 Alternative C. Were these basically -- like Alternative D --
19 were these basically put forward by different interest
20 groups or were they.....

21
22 MR. ZEMKE: There isn't anywhere in the
23 forest plan or draft EIS that really talks about that.
24 You'd have to go back into the planning record but a year
25 and a quarter ago we took the 33, I think it was, community
26 based alternatives and had a big meeting where we invited
27 representatives from each one of those alternatives to come
28 in, sit down with our interdisciplinary team and actually
29 come together to try to create a reasonable -- manageable I
30 should say, not reasonable -- set of alternatives that we
31 could actually bring through the process. And so, no there
32 isn't a direct track, something like maybe Copper -- or
33 maybe one of the Cordova alternatives. It may have
34 actually been put into two different alternatives based on
35 the theme of that alternative. But that was done in an
36 open process with inviting the representatives or
37 proponents of that individual alternative to come in and
38 work directly with the team and other publics to come up
39 with those alternatives.

40
41 CHAIRMAN LOHSE: Because I notice there's
42 quite a spread for what categories the land gets put in
43 from Alternative A to Alternative D.

44
45 MR. ZEMKE: One of the ideas is that we
46 need to have a full range of alternatives and so if indeed
47 the publics hadn't come together and presented that range,
48 we probably would have been forced to.....

49
50 CHAIRMAN LOHSE: Forced to make that range.

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1 MR. ZEMKE:make that range but the
2 public did that themselves and so we were fortunate.

3
4 CHAIRMAN LOHSE: Well that s what I was
5 just wondering, whether that basically represents different
6 segments of the public?

7
8 MR. ZEMKE: Various interest groups and
9 constituencies and, yes.

10
11 CHAIRMAN LOHSE: Any other questions for
12 him? I thank you.

13
14 MR. ZEMKE: Thank you, Mr. Chairman.

15
16 CHAIRMAN LOHSE: Now I think that ends our
17 agency reports. I ll have to get back to my agenda but I m
18 pretty sure that ends our agency reports. Is there an
19 agency out there I ve missed? I see somebody sitting in a
20 chair over there that s got a smile. Do they have
21 something to report? We definitely don t want to cut off
22 any of the agencies. There wouldn t be anybody left in the
23 room. Okay, now where am I -- here s the agenda.

24
25 Okay Council, as was brought to our attention in
26 this point in time, we need to decide whether we re going
27 to appoint someone to the Denali Subsistence Resource.....

28
29 MR. F. JOHN, JR.: Take a five minute
30 break?

31
32 CHAIRMAN LOHSE: That s sound good. Well,
33 how about a ten minute break, that ll give everybody time
34 to stretch. You got to work twice as hard when you come
35 back then, Fred.

36
37 (Off record)

38
39 (On record)

40
41 CHAIRMAN LOHSE: Okay, we ll call this
42 meeting back to order. The next item on the agenda is the
43 appointment to Denali Subsistence Resource Commission. We
44 had Vern Carlson there before. It s been recommended that
45 we reappoint him -- not recommended but he s had a good
46 report on his work on that commission. Do we want to make
47 a motion to reappoint him?

48
49 MR. DEMENTI: So moved.

50

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1 CHAIRMAN LOHSE: It s been moved by
2 Gilbert.

3
4 MR. F. JOHN, JR.: I second.

5
6 CHAIRMAN LOHSE: And seconded by Fred. Any
7 discussion?

8
9 MR. DEMENTI: I guess we heard all his
10 qualifications -- he s been on that for a while. He knows
11 the area.

12
13 CHAIRMAN LOHSE: I thought that was a very
14 good report given to us by Hollis on him and if there is no
15 further discussion we can call the question.

16
17 MR. ELVSAAS: Question.

18
19 CHAIRMAN LOHSE: Question s been called.
20 All in favor of appointing Vern Carlson -- or is it Vernon
21 Carlson?

22
23 MR. DEMENTI: Vernon Carlson.

24
25 CHAIRMAN LOHSE: Vernon Carlson. Signify
26 by saying aye.

27
28 IN UNISON: Aye.

29
30 CHAIRMAN LOHSE: All opposed signify by
31 saying nay.

32
33 (No opposing responses)

34
35 CHAIRMAN LOHSE: Motion carries.

36
37 The next tab on our business in any new business
38 and since we ve got everybody s mouth full of M&Ms, they
39 probably can t tell us any. Any new business? Any new
40 business from any members of the Council? Anything that we
41 feel needs to brought up? We ll open it to the floor. Is
42 there any new business from the floor that the floor thinks
43 that we should be aware of as a Council?

44
45 Hearing none, we ll go on to the next item on the
46 agenda which if you d turn to Tab K you ll find a calendar.
47 And we need to decide when and where our next meeting will
48 be.

49
50 MR. F. JOHN, JR.: When s the Fur

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1 Rondevous?

2

3 CHAIRMAN LOHSE: I don t know. Fairbanks,
4 huh?

5

6 MR. F. JOHN, JR.: No, Anchorage.

7

8 CHAIRMAN LOHSE: Oh. The calendar has a
9 window from February 19th through March 23rd. I don t
10 know, do you have any -- you have no other conflicting
11 councils scheduled yet because this is your first council,
12 isn t it?

13

14 MS. WILKINSON: No. North Slope Council
15 met and they set their next meeting for February 20th and
16 21st.

17

18 CHAIRMAN LOHSE: Okay, so they re February
19 20th and 21st so that s out for us.

20

21 MS. WILKINSON: Also, Mr. Chairman, we
22 would like for you to reconsider -- excuse me, I m thinking
23 of the other thing -- to consider holding the next meeting
24 later in March.

25

26 CHAIRMAN LOHSE: I was going to bring that
27 up. It was brought to my attention that with the Board
28 having to act on the Kenai thing, the later that we can
29 have our meeting the more time staff would have to prepare
30 anything that would come out of that meeting for us that
31 we d have to attend to. So if we can take our meeting
32 towards the end of March or towards the end of the window,
33 it would be better for the staff.

34

35 MR. ELVSAAS: When does the Board meet?

36

37 CHAIRMAN LOHSE: The Board meets in
38 February but the staff is going to have to prepare
39 proposals and things that we might have to deal with
40 because of whatever action the Board makes -- if the Board
41 makes any action. If the Board doesn t make any action,
42 there s no problem. Easter is in April so it s not
43 conflicting with Easter. March 17th is St. Patrick s day
44 so it s probably a good time not to be in Anchorage.

45

46 MR. ELVSAAS: All us Irishmen. How would
47 the 19th, a Monday -- we re getting it as close to the end
48 as possible.

49

50 CHAIRMAN LOHSE: We have to plan for a two

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1 day meeting probably, I would think.

2

3 MS. WILKINSON: I would think two days
4 would be the minimum anyway.

5

6 CHAIRMAN LOHSE: Two days should be
7 sufficient for what we've got on our agenda in this point
8 in time, although we're going to have to discuss the --
9 we're going to have two meetings in January. We're going
10 to have to go down to the Kenai for the one and then we're
11 going to have that fisheries five day one in Anchorage. So
12 there's two meetings in January. I don't think there's
13 anything else scheduled for February or March so at this
14 point in time I guess I'll have to go to the Board meeting
15 in February. And when are they talking about having a
16 chair meeting? Or have they done any.....

17

18 UNIDENTIFIED SPEAKER: Is that.....

19

20 CHAIRMAN LOHSE: Tim, have they done any
21 work as to when the chair meeting will be?

22

23 MR. JENNINGS: Mr. Chair, are you referring
24 to the chair's meeting in advance of the Board meeting
25 in.....

26

27 CHAIRMAN LOHSE: That's right. That's what
28 I'm referring.....

29

30 MR. JENNINGS:May or the one in
31 December. There's a Board meeting in December, the week of
32 December 4th where the Board will take final action on the
33 current fisheries proposals on a statewide basis with the
34 exception, as we mentioned, of Proposal 13 and 33 because
35 of the Kenai issue. So there's a chair's meeting at the
36 beginning of that week.

37

38 CHAIRMAN LOHSE: Okay, that's in December.

39

40 MR. JENNINGS: And that's in December and
41 then there's the Board meeting in May when they will take
42 final action on the wildlife proposals. There'll be a
43 chair's meeting at the beginning of that week and that's
44 typically the first week of May. I don't have the exact
45 dates in front of me.

46

47 CHAIRMAN LOHSE: Okay.

48

49 MR. JENNINGS: And I believe one other
50 thing to consider is Terry Haynes has mentioned to me that

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1 he believes there is a Board of Game meeting in the March
2 time frame.

3

4 MR. HAYNES: Mr. Chairman, the Board of
5 Game meets in Anchorage March 2nd through the 12th and they
6 will be taking up Southcentral Region wildlife proposals so
7 that might effect some members of your Council.

8

9 CHAIRMAN LOHSE: March 2nd through 12th?

10

11 MR. HAYNES: Yes.

12

13 CHAIRMAN LOHSE: Now I went and testified
14 for our Council at the Fish Board meeting. If there s
15 Council concerns that we d like to take to the game board
16 meeting, one of us could go attend that. And we also need
17 to request that we be given at least the same status as an
18 advisory group so we don t get just three minutes and then
19 we re done. You know, it was pretty hard to just -- you
20 know, advisory groups were up there and were able to make
21 some comments and we basically didn t get enough time to
22 even get started at the fish one. So okay, so that s in
23 early March. Well, the 19th sounds okay to me.

24

25 MR. F. JOHN, JR.: That sounds okay, 19th.

26

27 CHAIRMAN LOHSE: 19th and 20th. Ann, from
28 your standpoint, because of traveling and everything, would
29 it be easier to have it 20th and 21st so traveling and
30 setup doesn t have to be done on a weekend?

31

32 MS. WILKINSON: Well, that would be very
33 thoughtful.

34

35 CHAIRMAN LOHSE: How about for the rest of
36 you? Would that -- that way we could travel on a Monday.

37

38 MR. ELVSAAS: Travel Monday and.....

39

40 CHAIRMAN LOHSE: Meeting on Tuesday.

41

42 MR. F. JOHN, JR.: It s okay with me.

43

44 CHAIRMAN LOHSE: Meeting on Tuesday and
45 Wednesday. Gilbert, does that sound okay to you?

46

47 MR. DEMENTI: Good enough.

48

49 CHAIRMAN LOHSE: Otherwise, because I think
50 that you re probably salaried staff aren t you?

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1 MS. WILKINSON: Yes.

2

3 CHAIRMAN LOHSE: So if you work on a
4 Sunday, you work on a Sunday for free.

5

6 MS. WILKINSON: Uh-huh (affirmative).

7

8 CHAIRMAN LOHSE: Okay. So travel on the
9 19th, meeting March 20th and 21st and probably home on the
10 22nd. Okay, a motion to that effect would be in order.

11

12 MS. WILKINSON: Excuse me, Mr. Chair.

13

14 MR. BAKER: Where?

15

16 MR. F. JOHN: Anchorage.

17

18 MR. BAKER: You may want to get a location
19 before you bring it to the table.

20

21 CHAIRMAN LOHSE: Oh, that s true. That s
22 true. We could decide on the location before we vote on it
23 then we could vote on it all as one package. That time of
24 the year, my vote is for Anchorage but what were you going
25 to suggest?

26

27 MR. BAKER: I was going to suggest, based
28 on your past pattern, a couple of opportunities were
29 present, one would be Cantwell, one would be Cordova. I
30 would suggest for that time frame, Cordova would be
31 probably preferable of those two.

32

33 CHAIRMAN LOHSE: Or how about Yakatat?

34

35 MR. BAKER: We have the Native village of
36 Eyak and look forward to going to work to make that a
37 success.

38

39 CHAIRMAN LOHSE: Well rather than push my
40 hometown, I ll leave that up for the rest of my Council.

41

42 Morris has got something.

43

44 MR. M. EWAN: Some of these places I know
45 -- I m in a wheelchair and a lot of these places are not
46 wheelchair accessible. So I disapprove of (indiscernible --
47 away from microphone).

48

49 CHAIRMAN LOHSE: That s something to think
50 about. That some of these places are a little harder for a

00301

1 wheelchair to -- accessible. I m not sure what the
2 facilities in Cordova is like that way.

3

4 MR. BAKER: Bruce, what s your executive
5 office, is it accessible?

6

7 MR. CAIN: We have some facilities that
8 would be willing to help Morris out but I guess we d just
9 extend the invitation to Cordova if it was helpful, you
10 know, as an option to you. And we would make Morris feel
11 more than welcome and assign some people to take care of
12 him if that would work. And I mean, we re not pushing
13 anything, just it s an option for you.

14 CHAIRMAN LOHSE: The only, I think, problem
15 that I can see with Cordova is it is a little harder for
16 everybody to access. But there s plenty of facilities in
17 Cordova -- plenty of places to stay but it is a little
18 harder to access for everybody than Anchorage.

19

20 MR. BAKER: One other point is the -- well
21 I think it would be preferable to hold at the native
22 village office -- the Forest Service office is fully
23 accessible now. With an elevator and everything.

24

25 CHAIRMAN LOHSE: Council members?

26

27 MR. ELVSAAS: Well if we re going to be
28 addressing game issues primarily in this area.....

29

30 CHAIRMAN LOHSE: Primarily.

31

32 MR. ELVSAAS:I wonder if Glennallen
33 wouldn t be an easier place for people to access.

34

35 CHAIRMAN LOHSE: But Glennallen in March
36 doesn t have a lot of facilities either, I don t think.

37

38 MR. ELVSAAS: Oh.

39

40 MS. SHARP: Kluti Kaah Town Hall in Copper
41 Center.

42

43 CHAIRMAN LOHSE: What?

44

45 MS. SHARP: The Kluti Kaah hall in Copper
46 Center is accessible. I mean, we re really short on
47 accessible meeting halls, in the Copper Valley it s a
48 similar problem.

49

50 MR. ELVSAAS: It doesn t matter to me.

00302

1 CHAIRMAN LOHSE: It doesn't matter to me,
2 it's up to you guys.

3
4 MR. F. JOHN, JR.: Glennallen's okay with
5 me. They got a lot of rooms down there and cafes and they
6 got community hall in Gulkana or down in Kluti Kaah.

7
8 MR. M. EWAN: It's either Copper Center or
9 Gulkana (indiscernible -- away from microphone) are they
10 wheelchair accessible.

11
12 CHAIRMAN LOHSE: They are?

13
14 MR. ELVSAAS: They didn't consider that for
15 me.....

16
17 CHAIRMAN LOHSE: What?

18
19 MR. ELVSAAS: in Kenai.

20
21 CHAIRMAN LOHSE: Gloria, what were you
22 saying?

23
24 MS. SHARP: Kluti Kaah usually holds 500
25 people during their annual meeting.

26
27 CHAIRMAN LOHSE: Well, do I hear a -- we've
28 got lots of offers on the table now.

29
30 MR. ELVSAAS: Where next?

31
32 CHAIRMAN LOHSE: Well we've got Copper
33 Center, Glennallen, Cordova -- there was someplace else
34 mentioned just before. It's up to you guys.

35
36 MR. ELVSAAS: You know, Cordova is just a
37 short ferry hop from Valdez. I don't know that schedule
38 is.....

39
40 CHAIRMAN LOHSE: If the ferry is running
41 and when the.....

42
43 MR. ELVSAAS: Huh?

44
45 CHAIRMAN LOHSE: If and when the ferry is
46 running, that's the main thing.

47
48 MR. ELVSAAS: Oh, oh.

49
50 MR. BAKER: That's typically a punishing

00303

1 run when it is running.

2

3 CHAIRMAN LOHSE: I would like to see us
4 hold one of the next meetings where we consider fisheries
5 things in Cordova. And the game issues, either hold in
6 this area or where centrally located, where everybody can
7 access it like Anchorage or someplace like that. Whichever
8 is the handiest.

9

10 MR. ELVSAAS: Well that gives us a choice
11 between Chickaloon and Glennallen and there s nothing in
12 Chickaloon.

13

14 CHAIRMAN LOHSE: Yep. Well, Glennallen
15 tops.....

16

17 MR. ELVSAAS: I agree that Cordova would be
18 a great place for fisheries issues, which would mean a year
19 from now roughly. Next fall.

20

21 CHAIRMAN LOHSE: I kind of would like to
22 hold a fall meeting there but.....

23

24 MR. ELVSAAS: Fall meeting in Cordova?

25

26 CHAIRMAN LOHSE: Yeah.

27

28 MR. ELVSAAS: Yeah.

29

30 CHAIRMAN LOHSE: And a March meeting either
31 Glennallen or Copper Center or Anchorage or someplace like
32 that.

33

34 MR. ELVSAAS: Let s have it in Copper
35 Center.

36

37 MR. F. JOHN, JR.: You familiar with
38 Glennallen? There s -- everything s there?

39

40 MR. M. EWAN: Anchorage would be fine with
41 me.

42

43 MR. F. JOHN, JR.: Glennallen got the
44 hotels, Copper Center got the facilities. Community hall.

45

46

47 CHAIRMAN LOHSE: What did you say Morris?

48

49 MR. M. EWAN: Anchorage is a fine spot for
50 me.

00304

1 CHAIRMAN LOHSE: Yeah, Anchorage has got
2 wheelchair facilities there too. The main thing that we
3 need to think about at that time of the year is
4 transportation. It can be very cold about then and we have
5 a lot of people to move. And most of those people aren't
6 from out here, you know, so.....

7
8 MR. ELVSAAS: Well by March, it's not the
9 bitter cold.

10
11 MR. DEMENTI: It ain't cold. It ain't cold
12 in March.

13
14 CHAIRMAN LOHSE: Oh, it's not cold in
15 March. The days are longer.

16
17 MR. ELVSAAS: Well, unless I hear
18 different, I'm going to move for Glennallen.

19
20 CHAIRMAN LOHSE: Okay, any objection to
21 that?

22
23 MR. ELVSAAS: Mr. Chairman, I would move
24 that the next meeting be March 20th and 21st at Glennallen.

25
26 UNIDENTIFIED SPEAKER: There's no
27 facilities in Glennallen.

28
29 MR. F. JOHN, JR.: Unless you want to make
30 it Copper Center? Copper Center got the facilities.

31
32 UNIDENTIFIED SPEAKER: (Indiscernible --
33 simultaneous speech).

34
35 MR. F. JOHN, JR.: That's okay, let's make
36 it Copper Center.

37
38 CHAIRMAN LOHSE: Make a combina.....

39
40 MR. F. JOHN, JR.: I (indiscernible) Copper
41 Center.

42
43 MR. ELVSAAS: I didn't get a second to that
44 anyway so you make it.

45
46 CHAIRMAN LOHSE: Yeah, make it that way.

47
48 MR. F. JOHN, JR.: How do I make a motion
49 -- I mean, I second it with an amendment?

50

00305

1 MR. ELVSAAS: You make a motion now, mine
2 died.

3
4 MR. F. JOHN, JR.: Oh, okay. I make a
5 motion we have the meeting in Copper Center. We have the
6 facilities in Glennallen so on March 20 and 21st.

7
8 MR. DEMENTI: Second.

9
10 CHAIRMAN LOHSE: It s been moved and
11 seconded to hold the meeting in Copper Center March 20th,
12 21st. And we ll have to make use of the rooming and stuff
13 in Glennallen but do I -- we have a first, a second. Any
14 discussion?

15
16 MR. DEMENTI: I got second.

17
18 MR. F. JOHN, JR.: He did.

19
20 CHAIRMAN LOHSE: Okay, is the question
21 called for?

22
23 MR. F. JOHN, JR.: Question.

24
25 CHAIRMAN LOHSE: The question s been called
26 for. All in favor signify by saying aye.

27
28 IN UNISON: Aye.

29
30 CHAIRMAN LOHSE: All opposed, signify by
31 saying nay.

32
33 (No opposing responses)

34
35 CHAIRMAN LOHSE: The motion carries.

36
37 Okay, the next thing on the agenda is a motion to
38 adjourn.

39
40 MR. DEMENTI: I make a motion to adjourn.

41
42 CHAIRMAN LOHSE: It s been moved.

43
44 MR. ELVSAAS: Second.

45
46 CHAIRMAN LOHSE: It s been seconded and we
47 don t need to vote on that one. The meeting is adjourned.

48
49 (MEETING ADJOURNED)

00306

C E R T I F I C A T E

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UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the
State of Alaska and Owner of Computer Matrix, do hereby
certify:

THAT the foregoing pages numbered 168 through 305 contain
a full, true and correct Transcript of the SOUTHCENTRAL FEDERAL
SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME II, taken
electronically by Joseph P. Kolasinski on the 21st day of
September 2000, beginning at the hour of 8:30 o'clock a.m. at
the Mentasta Village School, Mentasta Lake, Alaska;

THAT the transcript is a true and correct transcript
requested to be transcribed and thereafter transcribed by under
my direction and reduced to print to the best of our knowledge
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THAT I am not an employee, attorney, or party interested
in any way in this action.

DATED at Anchorage, Alaska, this 2nd day of October 2000.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 04/17/04